TL 3750

East Timor Human Rights Centre

Continuing Human Rights Violations in East Timor

Annual Report of Human Rights Violations in East Timor 1996

28 February 1997 Ref: AR1/97

East Timor Human Rights Centre Inc.
124 Napier Street, Fitzroy 3065. PO Box 1413, Collingwood 3066, Australia.
Telephone: +61 03 9415 8225 Fax: +61 03 9416 2746 E-mail: etchrmel@peg.apc.org
Chair: Bishop Hilton Deakin Director: Ms Maria Brett

TABLE OF CONTENTS

A. INTRODUCTION 1
- Responses from Indonesia and the international community 2
- Scope of Annual Report 4

B. PATTERNS OF HUMAN RIGHTS VIOLATIONS 5

1. IMPACT OF GUERRILLA WARFARE ON CIVILIAN POPULATION 5
- Suspected Extra-judicial Executions and Repercussions 5
- Other Suspected Extra-judicial Executions 7
- Arbitrary Arrests Following Killings 10
- Intensive Military Operations 11
- Other Arrests, Torture and Rape 13
- Acts of Intimidation and Terror 16
- Militarisation of East Timorese Youth 21

2. NATIONALISM AND URBAN RESISTANCE 22
- Arrests Following Gleno Fires 22
- Becora prison riot 23
- Demonstrations 24
- Baucau riots 25
- Demonstrations in Dili, November and December 26
- Demonstration in Suai, November 30

C. EAST TIMORESE FLEE 31
- Boat People 31
- Jakarta Asylum Seekers 31

D. CONCLUSIONS AND RECOMMENDATIONS 34
- Recommendations to the Indonesian Government 34
- Recommendations to the UN Commission on Human Rights 35

E. APPENDICES 38
- APPENDIX A: Suspected Extra-judicial Executions, 1996 38
- APPENDIX B: Arbitrary Arrests, "Disappearances" and Torture, 1996 38
- APPENDIX C: People convicted for alleged involvement in Baucau riots, June 1996 46

A. INTRODUCTION

> *"East Timor is an occupied country. There is no rule of law, no court of appeal, no freedom. Power is in the hands of extra-judicial bodies who control life and liberty at will."*
>
> -a visitor to East Timor, 1996.

This is the view of every independent person who visits East Timor. It is confirmed by rapporteurs from the UN Commission on Human Rights, the human rights reports of the US State Department, Amnesty International, Human Rights Watch/Asia, Indonesia's National Commission on Human Rights and it is known to all foreign embassies who maintain a watching brief, despite Indonesian attempts to keep its rule in East Timor out of view.

The Indonesian government has failed to implement past recommendations and resolutions made by the UN Commission on Human Rights and its thematic mechanisms, and those measures which have been implemented have clearly been insufficient. In 1996, serious and systematic abuses of fundamental human rights have continued in East Timor. The East Timor Human Rights Centre ("ETHRC") received reports of 24 suspected extra-judicial executions, most of which have not been investigated by Indonesian authorities, and numerous reports of "disappearances". 1996 saw a high level of arbitrary arrests, with up to 381 East Timorese people being arrested, many of them young East Timorese. Reports have continued that detainees are systematically subjected to torture and ill-treatment, and sentenced at trials which are unfair. There is a climate of real fear as East Timorese people are regularly subjected to intimidation, beatings, rape and other acts of repression by the Indonesian authorities. The ETHRC's findings have been confirmed by the US Department of State which concluded in its 1996 report that Indonesia continued to commit serious human rights abuses in East Timor where there were further instances of killings, disappearances, torture and excessive use of force.[1]

The first few years after the 1975 invasion of East Timor by Indonesia were marked by death and destruction on a large scale. Since the early 1980s, the military conflict has settled into an apparently long-term pattern of guerrilla warfare, marked by continuing human rights violations by the Indonesian military against a civilian population often suspected of aiding the East Timorese Resistance. Meanwhile, the East Timorese Resistance has increasingly moved away from guerrilla warfare towards well-organised actions in urban areas. In 1996, the urban actions mostly resulted in a strong military crackdown against the civilian population. There were pro-independence demonstrations but there were also demonstrations which apparently arose out of ethnic and religious tensions between East Timorese people and Indonesian immigrants.

In fact, 1996 saw an increase in ethnic and religious tension and violence, some of which appeared to have been provoked by the Indonesian military or by pro-Indonesian parties. As Human Rights Watch /Asia has previously noted: *"There is wide scope for manipulation of*

---

[1] Indonesian Human Rights Practices 1996, US Department of State, January 1996.

naïve groups by parties with a political interest in local unrest, and there have been a few incidents which seem to be deliberately provoked." [2]

Human Rights Watch /Asia has also expressed concern about the high level of militarization that "goes against common wisdom that the Indonesian government is steadily reducing its military forces in East Timor."[3] Following a recent visit to East Timor, U.S. Representative Frank Wolf estimated that there are possibly more than 16,000 Indonesian troops in East Timor.[4] Meanwhile, the official figure is only 5,000 troops.[5] The military is also systematically training East Timorese youths to take part in armed and unarmed military activities, a move which seems to be designed to increase tensions among the East Timorese themselves.[6]

The East Timorese population is also experiencing a process of economic marginalisation as migrants take up employment opportunities which are not available to the East Timorese. When, on top of that, hearts-and-minds policies to woo educated East Timorese continually experience setbacks due to political suspicions on the part of the military, it is little wonder that a defiant sense of nationalism has grown in all sections of the East Timorese population. This nationalism focuses on the symbols of the Catholic faith, especially on Bishop Belo, and also has ethnic elements directed against non-East Timorese in East Timor.

There are no signs that this sense of outraged nationalism is diminishing with the passage of time. On the contrary, where emotional outpourings of anger were once seen only in the capital Dili, in the presence of foreign journalists, they now occur frequently in small towns all over the territory. However, many East Timorese people are increasingly looking for escape routes from the violations which are a part of every-day life in East Timor, resulting in large numbers of East Timorese youths seeking asylum at foreign embassies in Jakarta.

Responses from Indonesia and the International Community

With the awarding of the 1996 Nobel Peace Prize to two East Timorese, Bishop Carlos Ximenes Belo and Mr Jose Ramos-Horta, there has been increased international interest in the East Timor issue and greater pressure on Indonesia to improve its human rights record.

Indonesia has failed to implement most of the recommendations from the UN Commission on Human Rights and its thematic mechanisms. It has not accounted fully for those killed in the Santa Cruz massacre of 12 November 1991, nor held those responsible for the massacre to account; it has not released all prisoners of conscience or allowed East Timorese detainees full access to legal counsel and a fair trial; it has not allowed access to human rights organisations. It has not implemented most of the detailed recommendations of the Special Rapporteur on Torture in 1992, nor those of the Special Rapporteur on Extrajudicial, Summary or Arbitrary

---

[2] HRW/Asia, Deteriorating Human Rights in East Timor, February 1995, page 11.

[3] HRW/Asia, Testimony before the United States Senate Foreign Relations Committee, 18 September 1996.

[4] Statement by U.S. Representative Frank R Wolf, Congressional Delegation to East Timor, 12-14 January 1997.

[5] Reuter, 25 July 1996

[6] HRW /Asia, Testimony before the United States Senate Foreign Relations Committee, Ibid.

Executions in 1994. It has only implemented two of the recommendations in the 1993 resolution of the UN Commission on Human Rights. The UN High Commissioner for Human Rights also made a number of recommendations during his visit to Indonesia and East Timor in December 1995 which have not been implemented and require more active pursuit, in particular the efforts to establish a permanent UN presence in East Timor. The Indonesian government has not encouraged further visits to East Timor by representatives of the UN. Nigel Rodley, the UN Special Rapporteur on Torture was refused permission to visit East Timor in 1996. The Indonesian government said that it was not necessary for Rodley to visit as José Ayala Lasso visited in December 1995.

One recommendation which has been implemented is the establishment of the Indonesian National Commission on Human Rights (Komnas HAM). This is frequently highlighted by the Indonesian government as evidence of an improved human rights situation in East Timor, and it has indeed brought a number of human rights violations to Indonesian public attention. However, there are concerns that Komnas HAM's working methods fall short of international standards for national human rights institutions, rendering their findings less than complete. Furthermore, it appears that Komnas HAM does not enjoy the full confidence of the Indonesian government. Amnesty International has noted that Komnas HAM's effectiveness is "undermined by the continuing failure of the government to act on the findings of the National Commission."[7] In December 1996, Indonesia's Coordinating Minister for Politics and Security, Mr Soesilo Soedarman, criticised Komnas HAM by saying it may have strayed from its original aims, which was to monitor human rights, not try to solve them.[8]

Komnas HAM has now set up an office in Dili, but concerns have been expressed about its ability to function effectively. It is located across from the road from the district military headquarters (KODIM), discouraging East Timorese people from approaching the Commission, and is staffed by a former prosecutor from Flores (who does not speak Tetum, the Timorese language) and other staff who are former local government employees.[9] These concerns about the ability of the new Dili office of Komnas HAM to function effectively are shared by the ETHRC.

The Secretary-General of the United Nations is charged with finding a just, comprehensive and internationally acceptable settlement to the East Timor dispute. Little progress was made at the UN sponsored talks between the Portuguese and Indonesian Foreign Ministers held in January and June, 1996. Confidence-building measures included the All-Inclusive Intra-Timorese Dialogue, which continued in March in Austria under the auspices of the UN, bringing together East Timorese from within and outside East Timor.

At the June 27 talks, human rights violations were discussed but according to Amnesty International the root causes of the violations remained unaddressed.[10] It reported that "arbitrary arrests, torture, disappearances, extra-judicial killings, the imprisonment of prisoners of conscience and unfair trials have continued. There is particular concern that authorities may be using disturbances as a pretext to arrest people involved in peaceful pro-independence activities."[11] Further talks scheduled for December 1996, which were called off by the outgoing UN Secretary-General Boutos Boutros-Ghali, are to be re-scheduled in 1997, however, the new Secretary-General, Kofi Annan, has said that "if you've tried something for 20 years and it has not worked, you probably need to look for something else…"[12] It is to be hoped that the priority Kofi Annan has publicly placed on resolving the conflict over East Timor will bear fruit in the form of solid progress in 1997.

---

[7] Amnesty International, Indonesia and East Timor: When Will the Commission Take Action...? , February 1996.

[8] AFP, 4 December 1996

[9] HRW/Asia testimony before the United States Senate Foreign Relations Committee, Ibid.

[10] Amnesty International media release, 23 July 1996

Recent statements on East Timor from the UN Commission on Human Rights have been increasingly weak, over-emphasising consensus decision-making which results in consensus statements which do not adequately address the serious human rights violations as reported by the UN's own human rights mechanisms and treaty bodies. In April 1996, the consensus chair's statement adopted by the UN Commission on Human Rights reiterated concerns raised by the Commission in previous years but failed to promote a resolution to the problem of East Timor.

Amnesty International has noted that too many resolutions by the Commission reflect "nothing more than the lowest common denominator, devoid of content and significance……..The search for consensus must not allow a few states to bar effective action by the Commission."[13] The ETHRC believes that in 1997 the Commission should adopt a strong resolution on East Timor, unequivocally denouncing the human rights violations in the territory and upholding universal human rights standards.

Scope of Annual Report

This report provides details of human rights violations in East Timor in 1996, illustrating the suffering inflicted on the civilian population by the Indonesian military. The violations include extra-judicial executions, arbitrary arrests, torture and ill-treatment of prisoners, unfair trials, rape and intimidation. As long as Indonesian policy is unable to move towards political reconciliation and can respond only with further security measures, these human rights abuses will continue, at the same time marring Indonesia's international image.

The violations documented in this report underline the urgency of current efforts to find non-military solutions to the conflict over East Timor and the importance of implementing the recommendations of the UN Commission on Human Rights and of the United Nations Special Rapporteurs. More specifically, they highlight the need for a strong resolution in 1997 from the UN Commission on Human Rights, and for urgent action from the international community.

---

[11] Ibid

[12] Reuter, 20 December 1996

[13] Amnesty International, 1997 UN Commission on Human Rights - 50 years Old", January 1997.

B/ PATTERNS OF HUMAN RIGHTS VIOLATIONS IN 1996

1. IMPACT OF GUERRILLA WARFARE ON CIVILIAN POPULATION

Whilst occasional massive human rights violations such as the Dili massacre of November 1991 have focussed world attention on the situation in East Timor, in reality East Timor is characterised by grinding guerrilla warfare that has seen little or no improvement for many years. The impression is certainly not of 'gradual improvement', as some analysts have said. Almost every month in 1996, there was armed contact resulting in death and injury throughout the territory. Often the victims of these clashes or their aftermath are civilians, as guerrilla warfare invariably leads to human rights violations against the civilian population.

During 1996, the ETHRC received reports of the extra-judicial execution of 24 East Timorese people. Some of the extra-judicial executions were followed by defiant protests by the East Timorese youth. Of particular concern were several extra-judicial executions which were followed by serious repercussions, with other East Timorese civilians being intimidated and arrested, often in a manner illegal under Indonesian law. Most of the suspected extra-judicial executions have so far not been investigated by Indonesian authorities.

1996 saw a high level of arbitrary arrests, particularly of young East Timorese, and systematic torture of those arrested. The ETHRC believes at least 381 East Timorese people were arrested and many of these were arbitrary arrests. The arrests were arbitrary in that they were invariably made without a warrant[14] and were often made by the military rather than the police as required under Indonesian law.[15] The arrests often took place during intensive military operations in an area and many arrests were short term with prisoners being interrogated, threatened and even ill-treated, then released within the 24 hour legal time limit. In this way, peaceful protests were disrupted and suspected leaders harassed while the authorities claimed their actions were completely legal. Detainees often had no access to lawyers of their own choice, despite their right to legal advice under Indonesian law,[16] putting them at risk of torture and ill-treatment, intimidation to extract information, and rape.

Suspected Extra-judicial Executions and Repercussions

On 25 April, a twenty year old student, **Paulo dos Reis**, was killed by soldiers from Battalion 310 stationed in the village of Uaitame in the district of Baucau. It is believed that dos Reis was a vocal supporter of Cardinal Echtegaray during his visit to East Timor in February. According to reports sent to the ETHRC, dos Reis was captured on 25 April, held at gunpoint then choked and beaten. He tried unsuccessfully to hit back and he then tried to run away but was shot three times by Lieutenant Eka Hardianto. His death led to a protest demonstration in Baucau by three hundred youths on 28 April, which was broken up by authorities with tear gas. It also led to a protest at a much larger religious gathering the same day.[17]

---

[14] Suspects must be served with a written warrant of arrest, unless they are caught 'in flagrante delicto', and their relatives must be furnished with a copy, Indonesian Code of Criminal Procedure (KUHAP), Article 18.

[15] Sole responsibility for arrest, detention and investigation in criminal cases rests with the police, KUHAP Article 18.

[16] KUHAP Articles 54, 55, 57 (right to consult with and to be accompanied by legal counsel of their own choice at all stages of interrogation) and Articles 70 and 71 (Legal counsel should be free to meet and speak in confidence with their client).

An investigation followed and the Indonesian soldier was tried for the manslaughter of dos Reis who was said to have run away after throwing verbal abuse and rocks at two Indonesian officers. The court found Second Lieutenant Eka Hardianto guilty of manslaughter under the Indonesian Criminal Code (KUHP), an offence which carries a maximum penalty of five years imprisonment, although he was sentenced to only eight months imprisonment.[18] The ETHRC welcomes the investigation undertaken by Indonesian authorities and the prosecution of the perpetrator, but questions whether the penalty was severe enough in the circumstances.

On 18 September at 7.30am, it is believed that **Jacinto de Sousa Pandal**, 52, and his nephew **Luis Ximenes Belo**, 23, were shot dead by "red beret" forces (Special Forces Command, Kopassus) in the area of Akadira Loibere near Viqueque while they were riding a motorcycle. The killings were witnessed by two women who said the soldiers covered their faces with black cloths.[19] KomnasHAM is currently investigating their deaths. **Agustino Ximenes** and four other unidentified youths were arrested by security forces on 6 November in the town of Viqueque by members of Kopassus (Special Forces Command). It is believed they were arrested because they had information about the killing of Pandal and Belo, which they had made public.[20]

Indonesian authorities were quick to release the official military explanation for the 29 October killing of **Maumesak**, 17, **Filomeno Ailos**, 30 **Antonio Malae**, 40, and **Norberto**, 40,. Antara, the Indonesian news agency reported the official Indonesian military version of the deaths on 4 November. According to the report, the four men were killed by members of the armed East Timorese Resistance.[21]

Reports were received by the ETHRC that the four men were in fact killed by members of the Rajawali and Morok battalions.[22] It is believed they were killed while walking to a burial site located in Ailete where they were going to bury the remains of some of the first victims of the 1975 invasion of East Timor by Indonesia. Villagers from Cribas and Batara, who had gathered to collect the remains, were approached by members of the Rajawali and Morok battalions and threatened with death if any them tried to run away. One youth called Maumesak was shot when he attempted to escape and died as a result.

Members of the Rajawali and Morok battalions blamed Filomeno Ailos for the death of Maumesak and then tied him, Antonio Malae and Norberto up against trees and killed them with spears. Another East Timorese man was then taken by members of the Rajawali battalion to the village of Cribas, where he was ordered to inform the local population that Filomeno

---

[17] AAP 30 April 1996

[18] AAP, 14 July 1996

[19] Lusa News, 20 September 1996

[20] Amnesty International Urgent Action UA 279/96, 28 November 1996

[21] Antara News, 4 November 1996

[22] ETHRC Report R3/97, 17 February 1997

Ailos, an alleged member of the armed Resistance, was responsible for the four killings. There has been no official investigation of the killings.

On 15 November, up to ten East Timorese men were arrested following military activities in Waihulae which followed the killing and of East Timorese civilian, **Manuel Atimeta.**[23] It is believed Atimeta was shot dead by Domingos Sarmento, a member of the Rajawali battalion and two members of Kopassus (Special Forces Command) on 9 November, 1996, between Waihulae and Waguia in the sub-district of Ossu. As far as the ETHRC is aware, the killing has not been investigated by Indonesian authorities.

Members of battalions 328 and 514 (Kopassus forces) and members of ABRI (the Indonesian armed forces) went into Waihulae at 3.00am on 15 November, surrounding houses and ordering civilians to present themselves in front of the village office. Six East Timorese men were arrested, tied up and driven by car to the military post at Buanurak hamlet. It is believed the detainees were forced to accuse the Resistance guerrillas of killing Manuel Atimeta. Families of the six detainees went to the military post at Buanurak to visit them but were informed by the Indonesian military that all six had jumped out of the car and escaped while being transported to Viqueque. The military claimed they had looked for the escaped prisoners but could not find them and believed they were probably in hiding. Another four East Timorese men disappeared following the late-night visit by the military to Waihulae and it is believed that the Indonesian military was responsible for their disappearance.

Amnesty International has confirmed the names of seven of the detainees: **Jose da Silva, Francisco da Silva, Gilberto da Silva, Aquiles da Silva, Armindo Monteiro, Antonio da Silva Monteiro** and **Paulo da Costa**. It is believed Jose da Silva and Jose Monteiro were detained at the headquarters of KODIM (District Military Command) in Viqueque and the rest were held by the SGI (Special Intelligence Unit) in Viqueque. Four of them were released on 21 November and three others were released on 26 November, although the exact details of their release are not known. It is believed they were denied access to members of their families on 17 November. The ETHRC is continuing to investigate the cases of **Jose Monteiro** and one unidentified man who were reportedly arrested during the incident, and **Chiquito da Silva** who reportedly disappeared.

Other Suspected Extra-judicial Executions

The ETHRC received reports alleging that another 16 East Timorese people were extra-judicially executed. As far as the ETHRC is aware, these killings have not been investigated by Indonesian authorities.

1. On 9 January at 3.00pm, it is believed that **Monica Guterres**, a 20 year old student from the village of Ossu de Cima in the district of Viqueque, died after soldiers from Battalion 328 shot indiscriminately at a civilian car between Liaruca and Ossu. It is believed her

---

[23] ETHRC Urgent Action UA 11/96, 21 November 1996

unidentified 10 year old brother was also killed. Indonesian authorities claimed that Resistance fighters were responsible for the killings. [24]

2. On 30 January, **Armindo da Silva Martins**, 29, was shot dead by an unidentified prison officer when prisoners at Dili's Becora prison rioted.[25]

3. On 12 March, it is believed that soldiers from Battalion 612 killed **Felisberto**, 20, near the Lapa Lapa River. Felisberto, who was from Txai/Lore in the district of Lospalos, was the son of Zetiti and Caca Puti. **Estevao Castanheiro,** 22, also from Txai/Lore, was seriously wounded.[26]

4. On 28 April, **Andre de Sousa** was killed in his backyard in Comoro, Dili, after being accused of lowering and destroying an Indonesian flag by nailing it to the ground. The flag was flying at half-mast to mark the death of Mrs Suharto, the wife of the Indonesian President.[27] It was locally well-known that he was mentally handicapped.[28] A report received by the ETHRC states that he was shot dead by eight members of the Police Mobile Brigade (BRIMOB).[29] De Sousa was the brother-in-law of Xanana Gusmao's sister, Manuela Gusmao.

5. On 7 June, **Manuel Soares**, 25, died after police at Tanah Abang in Central Jakarta fired five shots at him.[30]

6. On 11 June, it is believed **Marcos Soares**, 20, was shot dead by members of the Indonesian military in the sub-district of Venilale. It is believed he was shot by Indonesian soldiers from Battalions 745 and 310 and members of the Police Mobile Brigade (BRIMOB).[31] Soares was from Uma Ana Ulu in the village of Bercoli, sub-district of Venilale, and was the son of Domingos and Francisca Soares.

7. On 25 September, it is believed **Tomas Sarmento** was shot dead near the village of Barolau, located in the Manufahi, sub-district of Same. Tomas Sarmento was shot four times while returning home on his horse. It is believed that members of the Badik/Rajawali unit admitted responsibility for the killing but claimed the shooting was an accident. The military then produced a statement to be signed by the deceased's family and several local administrators, declaring the shooting was accidental and that the family would not take any action against the responsible parties.[32]

---

[24] Confidential sources. The killings were reported by Reuter on 15 January 1996, but the victims were previously unidentified.

[25] See page 23 below

[26] Confidential sources

[27] The Australian, 30 April 1996

[28] AAP 30 April 1996

[29] Confidential source

[30] see page 21 below

[31] Confidential sources

[32] Confidential source

8. On 30 September, it is believed **Fernando Bom**, 40, was shot dead by Indonesian soldiers posted in the village of Soibada because he allegedly collaborated with the armed Timorese Resistance. Fernando Bom was from the hamlet of Sasahe in the village of Fatuk Maquerek in the sub-district of Soibada. He was married with eight children and was the son of Bere-Mali and Sara-Tati.[33]

9. On 3 October, it is believed **Zeferino Mascarenhas** and **Marcel Nunes** from the village of Liaruca, sub-district of Ossu, were shot dead when Rajawali forces fired at them with machine-guns at Mota Merao in Liaruca. It is alleged they were killed after being accused of having links with the armed Resistance.[34]

10. On 4 November at 9.00pm, it is believed **Mariano Mendonca**, 22, was killed in the hamlet of Berelico, Faturaca village, Remexio sub-district. East Timorese sources have alleged that Mariano Mendonca was killed by an INTEL agent called Jose Mendonca, 45, when he sustained a fatal wound to the chest from an arrow. Mariano Mendonca was the son of Berelok and Caidau. It is alleged that Jose Mendonca also died as a result of the incident although details of his death are unconfirmed[35]

11. On 26 November, it is believed **Fernanda da Silva** was shot dead in the hamlet of Acumano, Liquica district, by an unidentified soldier from the Linud 700 battalion. There are conflicting reports about the circumstances of her death, however, it is believed da Silva was killed in her house because she had had an argument with the soldier two days earlier and had asked him to return a rooster which he was trying to steal from her. One witness claimed that he was outside da Silva's house when he heard a gunshot and immediately ran into the house. He found the victim lying dead on the floor with a gunshot wound to the left side of her body.[36]

12. On 7 December, **Rui de Jesus, Aniceto** and **Miguel** were killed during intensive military operations in the Suai District. Soldiers of the Linud 700 battalion began shooting at a group of youths who it is believed had gathered together in a house in the village of Lepo Bobonaro, Suai District, to pray on the anniversary of the invasion. Rui de Jesus and Aniceto were shot dead inside the house and their bodies later burned. Miguel was killed outside the house. A fourth youth named **Luis** sustained serious injuries and was taken to the hospital in Suai. The ETHRC has no further information regarding the status of his health.[37]

---

[33] ETHRC Report R1/97, 17 January 1997

[34] ETHRC Urgent Action, UA 12/96, 13 December 1996

[35] ETHRC Report R 2/97, 17 January 1997

[36] Confidential source

[37] Confidential source

Arbitrary Arrests Following Killings

An Indonesian army captain was killed on 27 July after a conflict broke out at a party in the village of Acumano, Liquica district.[38] On 28 July, members of the District Military Headquarters (KODIM), the Mobile Police Brigade (BRIMOB) and the Special Intelligence Unit (SGI) were mobilised, and by 29 July, the entire village was blockaded. In the reprisals which followed, up to fifteen people were arrested and according to one report, Acumano was completely deserted as those residents who were not arrested had fled to the mountains.[39]

During the reprisals, it is believed **Teresa de Fatima** and her four children **Elda Pinto, Rita, Bicau** and **Bi-Soi**, were arrested on 2 August in Nunuhou, after fleeing to the mountains for safety following the military crack-down in the area. It is believed they were arrested by Jacinto Hameno, the leader of the town of Liquica, and Arnoldus, a member of the security forces (BABINSA). Teresa de Fatima is the wife of Julio "Maureha", a commander of the Timorese Resistance guerilla forces (FALINTIL) who is alleged to have been involved in the killing of the Indonesian army captain.[40] Also arrested on 2 August were **Benjamin de Nery** and **Joao Alves Ribeiro** who were detained at KODIM in Liquica.[41] According to a confidential source, after Teresa de Fatima and her children fled to Hatuquessi, her house was burnt down by the Indonesian military. It is believed Teresa de Fatima and her children are now safe.

The ETHRC received a report of eight other East Timorese arrested during the reprisals. **Jose Martins da Cruz, Hermenigildo, Paulo** and **Joao Metan** were all arrested and later released. **Fernando** was arrested on 29 July at his house in Kaikasako by members of Battalion 744. **Salvador** was arrested at his house in Acumano on 30 July, detained at KODIM in Liquica and later released. **Alcino** was arrested by members of KODIM called Clementino, Tobias and Nico and accused of involvement with Fretilin. He was taken to village of Lukulai and beaten with gun butts then released. It is believed that **Agusto** was arrested on 30 July at his house in Kaikasako by two members of KODIM from Liquica called Nico and Miguel. They beat him brutally on the skull with gun butts till he bled severely. His blood soaked clothes were then removed. He was detained for five days at KODIM in Liquica where he was again beaten by several members of KODIM and given no food. He was then taken to POLRES (Police Resort) in Liquica where he was tortured. He is reported to have been burnt with cigarettes and matches and his feet crushed by the legs of a table.[42]

On 24 October, Sgt-Maj Juliao Fraga, an East Timorese commander in the Indonesian military was killed in Baucau. Fraga, 48, was the commander of an Indonesian counter-guerrrilla unit consisting of about 300 East Timorese and known as “Saka”. There have been conflicting reports about the circumstances of his death, however, reports sent to the ETHRC allege that Fraga was killed by members of the Indonesian military.[43] According to the reports, Fraga was killed following a meeting in Baucau on 24 October which was attended by a number of military commanders and at which Fraga refused to agree to plans to kill East Timorese youths. Eye-witnesses have claimed that, after leaving the meeting, Fraga was immediately shot dead by members of the Indonesian military.[44] However, the Indonesian authorities have suggested that the East Timorese guerrillas are responsible for the killing.[45] KomnasHAM has announced an investigation into the incident.

---

[38] ETHRC Urgent Action UA 7/96, 23 August 1996

[39] LUSA, 30 July 1996

[40] ETHRC UA 7/96

[41] Ibid

[42] Confidential source

[43] Confidential sources.

Fraga was an armed combatant, but reliable sources have confirmed that following his death, serious repercussions followed for East Timorese civilians. Many East Timorese were intimidated by the Indonesian military, arbitrarily arrested and pressured into confessing to the killing of Fraga or accusing Resistance guerrillas of responsibility for the killing.

On 28 October, **Azito Freitas**, a 19 year old East Timorese student, was arrested by members of the Indonesian "red beret" forces (Kopassus, Special Forces Command). It is believed he was arrested while on his way to attend a mass to be celebrated by Bishop Belo at the church of Saint Antonio in Baucau. He was detained at the Baucau police-station where he was subjected to intensive interrogation and violent torture, resulting in a broken arm. It is believed he was pressured under torture to confess to killing Fraga, or to name those responsible for the killing.[46] Azito Freitas denied any involvement in the incident and also refused to name others.

Amnesty International reported that a further five people were arrested in relation to the killing of Fraga and these reports were confirmed by ETHRC sources.[47] **Evaristo Ximenes** and **Aniceto Ximenes** were arrested at midnight on 7 November in the village of Bui Bau, Baucau district, by members of KOSTRAD (Army Strategic Reserve Command). Two days later, **Armindo do Rosario** and **Manuel** were arrested in the same village. A fifth person, **Quintino Imanual de Cristo**, was questioned on 17 November in connection with the killing of Fraga and arrested the next day. It is believed Quintino was tortured while in detention resulting in serious swelling to the upper part of his body. He has now been released with orders to report periodically to the authorities. It is believed the other four may still be in detention at POLRES in Baucau (the police facility) and have been subjected to intensive interrogation and torture.[48] Another three men, **Augusto, Marcelino** and **Cosme**, also from the village of Buibau, were arrested on 18 November by members of the Indonesian military.[49]

Intensive Military Operations

In the village of Bahalara-Uain in the Viqueque district, the local population was subjected to intensive military operations in August. On 12 August, **Inacio Nelson Guterres Amaral**, **Manecas Gomes, Luis Rangel** and **Antonio da Costa** (Fahi-Kolik) were detained, beaten and tortured near the hamlet of Bui-Karin in Bahalara-Uain.[50] Amaral, Gomes and Rangel allegedly went into the bush to contact members of the Resistance. While resting on the way at the property of a farmer, Antonio da Costa, they were surrounded by two Indonesian commanders and some Makikit soldiers. Makikit soldiers are East Timorese who have joined the Indonesian military and are believed to be particularly active in the Viqueque district. According to East Timorese sources, the military were informed of their whereabouts by Antonio da Costa.

---

[44] Confidential sources

[45] Lusa news, 26 October 1996

[46] ETHRC Urgent Action UA 10/96, 6 November 1996

[47] Amnesty International Urgent Action UA 262/96, 28 December 1996

[48] ETHRC Urgent Action UA 10/96R, 10 December 1996, and additional information from confidential source.

[49] ETHRC Urgent Action UA 10/96R2, 17 December 1996

It is believed the three were attacked with gun butts, tortured violently and detained at military post number 17 in Bui-Karin. They were then taken to the headquarters of Territorial Battalion 410 in Betice, where they were tortured again. Luis Rangel sustained broken ribs and Inacio Nelson Guterres Amaral sustained a broken arm. The three detainees were then transferred again, either to Baucau or Dili for treatment, or to another prison. No further information is available about their cases. Antonio da Costa, the alleged informant, was also detained at military post number 17 where he was interrogated and tortured and forced to accuse others of subversive activities. It is believed he was forced to go into the bush to find Resistance fighters but when he returned without any information, he was tortured again on 31 August by members of the Indonesian military.

The ETHRC has also documented many cases of intimidation and torture of other villagers in Bui-Karin in August, including details of the perpetrators of the violations.[51]

Between 10 and 11 December 1996 there were intensive military operations in the village of Leo Rema, located on the border of the Ermera and Liquica districts. Ten Indonesian soldiers from the Linud 700 battalion, wearing civilian clothes, and six INTEL agents (four of them women), travelled by minibus from Ermera to the hamlets of Fatuneri, Urluli, Ergoa and Hatubolu in Leo Rema, where they intimidated the local population.

On 11 December, the military intimidated villagers in the hamlet of Fatuneri. It is believed INTEL agents beat **Domingos Soares, Fernando dos Santos, Marcelino Ribeiro, Abilio dos Santos, Alberto da Costa Freitas, Jose Soares** and **Paulo dos Anjos** until they bled from their noses and mouths. The same day there was an assault on the Leo Rema chapel. It is alleged that two East Timorese women working for the Indonesian military opened fire, injuring many people. Many of villagers are believed to have disappeared following the assault and others, fearing for their safety, are believed to have abandoned their homes. **Manuel de Oliveira, Mateus Goncalves, Renato dos Santos, Manuel Alves, Antonio** and **Berta**, all from the hamlet of Urluli, were arrested and tortured. It is not known where the six were taken or if they are still in detention.[52]

Military operations against civilians in Ermera district have also been intensive. On 5 December, 23 year old **Aliança Soares dos Santos** was arrested by more than ten soldiers in Atabae, Bobonaro district, where she was in hiding after being accused of harbouring members of the armed East Timorese Resistance at her home in Liçapat. Also arrested were seven members of her family: **Martinho Soares**, his wife **Flaviano Martins, Marcelino Soares**, his wife **Marciana** and their three sons **Adao, Calistro** and **Natalino**. It is believed they were arrested without warrants and arbitrarily detained. All eight detainnes were beaten and Aliança was reported to have been tied up and threatened with a knife before being taken to KORAMIL (Sub-District Military Command) in Ermera. In the 14 days Aliança was detained there, she was subjected to torture and also raped by an ABRI soldier whose identity is not known. The soldier threatened to kill her if she reported the rape. She has identified one of her torturers as Supardi.

---

[50] ETHRC UA 12/96, 13 December 1996

[51] See page 17 below

[52] ETHRC Report UN 4/97, 17 February 1997

Aliança and the other detainees were then transferred to a Rajawali military post at Luli Rema, where she was raped twice by a soldier ranked sergeant (Sersan Kepala). At night the soldiers slept all around her. While detained at this command post, Aliança was forced to obey orders from the soldiers and accede to all the needs of the post such boiling water and other duties. Aliança was released on 16 December and it is not known whether the other detainees have been released.[53]

An eye-witness who visited the Rajawali post identified three other detainees at the camp, **Domingos Ologai, Eduardo Soares** and **Francisco** and saw the prisoners being tortured and ill-treated. Domigos Ologai and Eduardo Soares were tied to a tree and Martinho Soares' face was being cut with a razor.[54]

One media report about Aliança's case said that Colonel Soekotjo, an official at the Dili Military Command has denied the report of rape.[55] It is believed an investigation into the allegations will be undertaken by Komnas HAM[56] and the ETHRC welcomes this investigation.

Other Arrests, Torture and Rape

1. On 16 January, **Domingos de Jesus Xavier, Juliana Pereira** and **Martinha Pereira** were arrested and accused of harbouring Falintil resistance guerrillas. They were reported to have been severely tortured by a policeman named Afonso and the local military head there, and the women were also reported to have been raped.[57]

2. In Same, the population has been living in great fear. The old Same market is reported to have been turned into a prison for political prisoners where horrific tortures are taking place. East Timorese prisoners are being subjected to electric shock, being hit with gun butts,

---

[53] Confidential sources

[54] Confidential source

[55] Kyodo, 7 February 1997, ETHRC report.

[56] South China Morning Post, 23 January 1997, reported that KomnasHAM is investigating the rape of Aliança Henrique dos Santos, 23, who is believed to be the same person who is referred to in the reports received by the ETHRC.

[57] ETCHRIET Urgent Action Appeal no 4, 26 January 1996

having their heads covered with plastic bags until they stop breathing and also being put in sacks and submerged in a water tank.[58]

- **Alexandrino, Jaime Borges, Francisco da Costa, Vicente de Andrade, Joao de Oliveira, Fernando Magalhaes, Armando Henrique Pereira** and **Joao Tavares,** all from the sub-district of Fato Berliu, were arrested on 9 April under orders from Captain Hartono. They detained at Kopassus headquarters in Same where it is believed they were brutally tortured. **Armando Henrique Pereira** was also arrested on 18 February and detained for approximately 6 weeks during which time he was interrogated and tortured.
- On or about 17 February, **Silvano de Lurdes** and his brother **Vicente** were arrested in Welaluho by officers of the POLSEK (Police Sector). **Adelino Caldeira** was arrested on 24 February in Welaluho by Kopassus (Special Forces Command) under orders from Captain Hartono and accused of being a clandestine informer. He is reported to have been tortured and beaten then detained in Same.
- **Vicente** was arrested on 26 March in Holarua and detained in Same. **Tomas** was arrested on 8 April in Turiscai by Kopassus forces under orders from Captain Hartono and tortured while in detention in Same.
- In February and March, **Virgilio Gonzaga, Augusto Soares, Luis Amaral,** and **Viriato Fernandes** were all arrested and tortured during interrogation in Same, then released. **Silverio, Vicente,** and another **Silverio,** were all arrested, interrogated and later released.
- On 9 April **Constancio Amaral** and **Filipe da Costa Tavares** were arrested by the military in Fato Berliu. They have been forced to lead the Indonesian military looking for Resistance guerrillas. It is believed they were detained at Kopassus headquarters in Same.

3. In February, three unidentified youths from Darabai were arrested in Betor, while they were on their way to their farms, in connection with a September 1995 protest in Darabai. It is believed the activities of spies in the area of Viqueque also resulted in the arrest and torture many local people of Viqueque, although the names of detainees are unknown.[59]

4. On 12 March, it is believed **Antonio Mareta** was arrested by four INTEL agents under orders from Captain Hartono. Reports were received that he was detained at Becora prison,[60] however, according to a report received by the ETHRC, Becora prison officials denied that he was detained there.[61]

5. Amnesty International reported the disappearance of **Antonio** in Same on about 13 May.[62] No further reports of his whereabouts are available.

6. On 10 July, **Jose da Silva** was arrested by the Territorial Battalion in Bidau Motalaran, Dili.[63] He was accused of organising and mobilising young people and participating in the

---

[58] ETHRC Urgent Action UA 6/96, 15 August 1996, plus additional information from confidential sources.

[59] Confidential source

[60] ETHRC UA 6/96, Ibid

[61] Confidential source

[62] Amnesty International, ASA 21/30/96, 22 May 1996

[63] ETHRC UA 6/96, Ibid

demonstration at Santa Cruz cemetery on 12 November 1991. It is believed he was arrested by a Sergeant called "Agus", detained and interrogated for 1 week at POLRES (Police Resort) in Dili, then released. After his release he disappeared and is possibly in hiding, but no further information is available about his whereabouts.[64]

7. On 14 July, **Sebastiao Lelo Ati** and **Joao Lelo Beli** were arrested by ABRI (Indonesian army forces) in the village of Obulo near the border of the Ermera and Bobonaro districts. They were accused of having contact with the Resistance in the mountains. They were interrogated and hung from a tree by ropes tied around their necks, in order to extract information. It is believed that although no evidence was found to incriminate them they were detained at KORAMIL (village-level military headquarters) in Atsabe.[65]

8. On 24 July 1996, **Ernestina Maria Baptista, Maria da Purificacao** and **Hermenegildo** were arrested and detained when soldiers from the Rajawali 328 battalion, encircled the the hamlets of Malus-Hun and Dau-Loroc in the Soibada sub-district, Manatuto, intimidating and terrorizing the local villagers. It is believed Hermenegildo was tortured and beaten severely until his nose and mouth bled and the two women were verbally abused and threatened with death. On 27 July, all three were transferred to Kopassus headquarters in Colmera, Dili, and detained there until their release on 31 August. The three detainees and their families are still being persecuted by members of Soibada KORAMIL (Sub-district Military Command).[66]

9. On 14 October, **Manuel, Jose, Labi Naha** and **Jose,** all from the Ossu sub-district, were detained by members of Kopassus (Special Forces Command) from "Group 15" and members of Battalion 410. It is believed they tried to avoid capture but were captured when the military opened fire. They were subjected to beatings until dawn the following morning then detained at the headquarters of Kopassus and BTT (territorial support forces). It is believed another youth called **Gabriel** was shot during the incident but managed to escape capture. His current whereabouts is still unknown so concerns are held for his safety.[67]

10. On 15 November **Rodolfo Sarmento** was arrested after being beaten in his garden by members of the Rajawali battalion and accused of being a member of the Clandestine Front and contacting the Resistance guerrillas. He was then arrested and taken to Baucau, where he was detained. On the same day, another five East Timorese men, **Anselmo do Carmo, Bernardino Fonseca, Tomas dos Santos, Julio da Costa** and **Americo da Costa** were beaten until their noses bled by members of the Indonesian military and then arrested. The assault took place while the five men were minding their flock of sheep.[68] According to a further report from Amnesty International, the six men were released on 17 November 1996 after being detained by police in Los Palos for 2 days. Rodolfo Sarmento was tortured while

---

[64] Confidential source

[65] ETHRC UA 6/96, Ibid

[66] Confidential source

[67] ETHRC Urgent Action, UA 12/96, 13 December 1996

[68] ETHRC UA 16/96, 12 December 196

in detention and all six are believed to have been questioned about their alleged links with clandestine groups.[69] Amnesty International also reported that **Antonio dos Santos** and **Joâo Bosco** were arrested two days earlier on 13 November, on suspicion of involvement in a demonstration in support of Bishop Belo. They were taken into police custody in Lospalos and were also released on 17 November.

11. On 13 December **Domingos Mau-Laca** was arrested in Dili by members of the Special Intelligence Unit (SGI). It is not known if he is still being detained as attempts to locate him have been unsuccessful.[70]

12. On 24 December, **Adriano Caisen** was arrested in the village of Ratahu, Viqueque district, by two members of Kopassus (Special Forces Command), dressed in civilian clothes. He was detained at the SGI (Special Intelligence Unit) headquarters in Viqueque. Later that day **Mariano da Silva Amaral, Americo Soares, Domingos Sarmento and Leao Soares** were arrested by Indonesian soldiers and taken to unknown locations. Attempts to locate them have so far been unsuccessful.[71]

13. On 25 December, **Jeronimo Soares** and **Manuel** were arrested in Letefoho by members of the SGI (Indonesian Intelligence Unit). Jeronimo Soares was arrested after being involved in a fight with another East Timorese man called Nandino who, it is alleged, is working with the Indonesian military. Jeronimo Soares was taken to the prison at SGI headquarters in Letefoho where it is believed Manuel may also have been detained.[72]

14. Also on 25 December, it is believed **Mateus Gomes,** a teacher in Loimea village in Atsabe, was arrested after being accused of providing food to the Resistance guerrillas. He was arrested by members of the Rajawali battalion and taken to a military camp where it believed he was interrogated, bashed, kicked, punched, beaten with the butt of a rifle and tortured by electric shock. His current whereabouts is unknown.[73]

15. On 31 December, **Arcanjo Maia**, 36, from Raheu in the Ermera district disappeared after he was captured by members of the SGI (Special Intelligence Unit) in Gleno, Ermera. According to the most recent reports available, his family has not been able to locate him and it is believed he may be at grave risk if not located soon.[74]

Acts of Intimidation And Terror

In addition to extra-judicial executions and arbitrary arrests, in 1996 the Indonesian military continued to conduct a campaign of widespread intimidation and terror aimed at weakening the resistance. During anti-guerrilla operations, innocent East Timorese civilians were frequently subjected to intimidation, interrogation, assault and torture. There are also numerous reports of East Timorese women being raped.

---

[69] Amnesty International Urgent Action, further information on UA 291/96, 19 December, 1996

[70] Confidential source

[71] Confidential source

[72] ETHRC Urgent Action UA 1/97, 17 January 1997

[73] Ibid

[74] Confidential source

The words of one source in East Timor are compelling:

> *"Some things are very hard for me to express because of the isolation I am forced to live in. The enemy is getting more violent and more ferocious every year and is in every corner of East Timor. The strength and violence of the military force in East Timor is re-affirmed by the generals in Jakarta. All military personnel do the same thing: persecute, torture, violate, murder, exterminate. Even though internationally there have been campaigns against this, the military continues to commit these atrocities with arrogance and impunity - they don't care about international awareness of their atrocities. The Indonesian military are Soeharto's thugs, who have come here to kill the East Timorese without discrimination."*

1. On about March 30, 17 year old **Joao Antonio Gomes da Costa**, son of East Timorese leader Ma'Huno, was beaten by Indonesian soldiers and later taken to the Dili hospital. He sustained numerous fractures, head injuries and was in a coma. According to one report, the soldiers forcibly entered his home in Lospalos during military operations in the east of the territory. Joao tried to defend himself with a knife but was brutally beaten by 10 to 15 Indonesian soldiers. A hospital source confirmed that his condition was very serious and he was not expected to recover.[75] No further information is available about his condition.

2. On 4 June, two children, **Marcos Filipe** aged 12 and **Sidonio Vaz** aged 13, both from Dare Nafa, Quelicai, were, according to a CNRM report, seized by the Indonesian military and forced to inform on Resistance guerrillas. They refused or were unable to provide information and were brutally beaten and kicked by soldiers until they vomited blood.[76] The same day, **Manuel Pinto** from Tela, Quelicai, was severely punched and kicked by Indonesian troops while working in his rice field at Ucamuni as he could not respond to their questions about guerrilla movements.[77] These allegations also remain unconfirmed by the ETHRC but raise serious concerns which warrant further investigation.

3. In August, the population of Bui-Karin, Bahalara-Uain, Viqueque district, were intimidated, interrogated, beaten and tortured when the Indonesian military conducted intensive military operations in the area.[78]

   Joao Pinto was interrogated and intimidated by the Indonesian military 16 and 17 August and was previously interrogated on 7 April. He was accused of contacting the Resistance guerrillas and supplying them with food from his garden and providing logistical support to the Resistance. During the 17 August interrogation, it is believed an Indonesian Vice-

---

[75] Lusa News, 30 March 1996

[76] CNRM report, 9 July 1996

[77] Ibid

[78] ETHRC Urgent Action UA 12/96, 13 December, 1996

Commander kicked him four times and punched him in the face. Soldiers from Battalion 410 also beat him up violently and he fell to the ground, losing consciousness.

Madalena Pinto was intimidated and interrogated on 16 August and accused of contacting members of the Resistance. It is believed the interrogation lasted all night and at approximately 10.00am the next morning she was coerced into declaring that she had had sexual relations with a member of the Resistance forces. **Mateus Francisco Pinto** and **Duarte Soares Pinto** were also interrogated on 16 August and again on 17 August.

Luciana Alves was interrogated on 18 August and accused of giving refuge to a Resistance guerrilla. During the interrogation she was slapped and punched four times in the back. At a subsequent interrogation she was coerced into saying that she had had sexual relations with a Resistance guerrilla. On 1 September, soldiers from the Rajawali battalion, whose faces were painted black, visited her in her home, beat her again, claiming that she had been visited by three Resistance fighters.

Vasco Pinto, Antonio de Carvalho, Inacio Tilman, Afonso Cipriano and 2 men both called **Kai-Rubik** were all detained on 12 August, interrogated and subjected to torture. It is believed they were beaten with sticks on their backs, punched and slapped in the face, mouth and stomach, kicked, hit with gun butts all over the body and face, and burned with cigarettes. According to East Timorese sources the torture did not stop until 17 August.

Bendito was tortured in his home on 15 August by Nurdin. **Elvio de Jesus** and **Antonio Freitas** were both tortured until they lost consciousness.

According to the ETHRC's sources, the people who carried out the human rights violations in Bui-Karin are: Sutrisno (Commander of military post number 17); Antonius (Vice Commander of military post number 17); Miko, Ali, Arianto and Surianto (all soldiers); Loi-Funuk (INTEL agent, also known by the name of Nurdin, from Bui-Karin, RK IV / RT II); Antonio (alleged informant from Bui-Karin, RK IV / RTII); soldiers of Territorial Battalion 410 operating in the Bui-Karin area; and drivers and soldiers from the Rajawali battalion stationed in Bui-Karin. ETHRC sources reported that detainees were denied access to a representative of the ICRC (International Committee of the Red Cross). Later, on 29 August, the ICRC representative visited some of those who had been detained at their homes. After the visit they were again summoned by the military and tortured.

The following names of people in Bui-Karin were also received by the ETHRC and it is believed they have been subjected to interrogation and intimidation, although no further details of the incidents are available: **Rufino Freitas, Domingos Ornai, Antonio da Costa, Manuel Pinto, Angelo Freitas, Joao Soares, Anita do Carmo Pinto, Funu-Kaik, Kabi-Lekik** (Cipriano Pinto), **Augusto Viana, Manuel Soares** (Naha-Kaik), **Fernando Gomes, Rofino Sarmento, Carlos Amaral, Duarte Sarmento, Domingos Pinto, Afonso Pinto, Carlito Pinto, Duarte Pinto, Agapito Soares, Mario Pinto, Antonio Gomes**, and **Bere-Kaik** (Bernardo Soares Pinto).

4. Between 7 and 10 August, the population living near Uma-Tolu military post, Viqueque district were subjected to intensive intimidation by the Indonesian military. On 7 August, a soldier from Territorial Battalion 410 named Hendry, who was stationed at the military post terrorized some families by shooting into the air. On 8 August, soldiers from the same battalion terrorized the civilian population by shooting into the air, supposedly because they were late attending a meeting where speeches were to be delivered by the local military and civilian authorities and **Joao Manuel** and **Mariano Ancelmo** were assaulted and forced to lie on the ground in the hot sun. On 9 August, other villagers who were required to report regularly to the authorities, were intimidated for failure to report. On 10 August, civilians were again terrorized by gunfire and following the incident, a soldier from the Makikit group arrived with a machine gun, threatening to shoot all those present.[79]

5. On 24 October, in Bubossuço, Manatuto district, **Bernardino Barreto** was beaten and tortured by a Nangala Commander called HENDE and members of his battalion. He was beaten until he bled from the mouth. Bernardino Barreto is from the Ailalep hamlet in Caicassa village, Manatuto district.[80]

6. On 25 October, **Herminia,** her husband **Jacinto da Conceicao** and neighbour **Rui Madeira** were rounded up at their homes in the hamlet of Hatatete, Ermera district, by members of NANGALA (Kopassus, Special Forces Command), and the Rajawali, Linud 700 and 744 battalions. They were beaten and tortured to falsely confess that they had harboured Ernesto Fernandes, an alleged member of the armed Resistance. When they refused to comply the soldiers threatened to kill every resident of their hamlet. According to the report, the beatings were so severe that both Conceicao and Madeira were unable to walk. Herminia lives in fear of the soldiers returning as this was reportedly their second beating. The first one having occurred in September.[81]

7. On 5 December, **Domingos Anuku** was brutally beaten by newly recruited soldiers posted in the area, including members of KORAMIL (Sub-district Military Command). Domingos Anuku, who resides in Metinaro, east of Dili, was alleged to have links with the armed Resistance.[82]

8. On 8 December, **Antonio** was beaten and injured with a hatchet by an East Timorese believed to be working with the Indonesian authorities. He was accused of hiding members of the guerrilla resistance in his house. Antonio is from the hamlet of Manu-Leu in the village of Dui-Ung, Metinaro sub-district.[83]

---

[79] **Ibid**

[80] **Confidential source**

[81] **Confidential source**

[82] **Confidential source**

[83] **Confidential source**

9. **Chiquito, Eugenio Simoes, Raimundo,** and **Eurico,** from the hamlet of Uato Lau in the village of Asso Ros, Loi Huno, have been threatened with capture and death, allegedly for involvement in pro-independence activities.[84]

10. On the 28 September, it is believed that a youth named **Lequi Ita** was accused of clandestine activities and beaten, tortured and threatened with a gun by soldiers from Battalion 410 stationed in Bahatata. The incident took place in the field of Irabere in the area of Uatucar Bau, Viqueque district. In the same area on 29 September, soldiers from the same battalion threatened to kill four unidentified women with a hand grenade. It is alleged the women were then raped by the soldiers.[85]

11. On 1 December, it is believed a young East Timorese man named **Hercules** was attacked while he was sleeping by a group of twenty masked ABRI soldiers who were dressed as "ninjas" and armed with swords and knives. Hercules was inflicted with eleven wounds to the chest and head and the soldiers retreated when the attack was discovered. Hercules was rushed to hospital for urgent medical treatment. His current medical condition is not known. It is believed that Hercules has been persecuted by the Indonesian military since 1990 for his alleged involvement in anti-integration activities. In 1990 he was captured by Kopassus in East Timor and taken by the authorities to Jakarta. In 1991, he was shot by ABRI soldiers who also broke one of his hands. In 1992, ABRI beat him up, and he became partially blind when he was shot in the eye.[86]

12. The following incidents were reported to the ETHRC by a confidential source in the Viqueque district, illustrating that relatives and friends of people suspected of being involved in clandestine activities are regularly intimidated, beaten and raped:
    - In March, **Ribacico** and her husband **Jose Aleixo** from Soro were arrested by ABRI forces in the middle of the night, interrogated and physically assaulted and beaten, to make them inform on Resistance guerrillas. When no information was extracted, they were abandoned, badly beaten and bleeding from the nose and mouth.
    - Also in March, a farmer by the name of **Jose** from the village of Boareca was arrested in the middle of the night by ABRI forces and accused of supporting the guerrillas. He was severely beaten until he lost most of the teeth from his upper jaw. It is not known whether he was released or taken into custody.
    - In March, an unidentified girl of school age was raped in Ossu by a soldier from the Rajawali battalion, stationed in Ossu.
    - In April, three unidentified girls were raped in Beope, by soldiers of the BTT battalion on patrol in Beope.
    - On 6 April, an unidentified school boy in the village of Caraubalun was brutally beaten, kicked and punched by the local INTEL head, Luis Berta, because his father was believed to be an activist in the clandestine Resistance. He was take to Dili hospital for treatment.

---

[84] ETHRC UA 12/96

[85] Ibid

[86] Statement by East Timorese Resistance on entering the French Embassy in Jakarta in December 1996

- On the night of 5 April, a group called the Makikit-Team under the command of the head of the village of Uagui, together with INTEL agents, surrounded the house of **Jose** in the hamlet of Wehulaek, threatening and insulting him.
- Also on 5 April, the same group under the command of two members of the Indonesian military surrounded the house of **Riba-Sico**, a farmer from the hamlet of Ossorua. They kicked and beat him, accusing him of harbouring a Resistance member.
- The following night the same team surrounded the house of **Feliciano,** a farmer from the hamlet of Waila in the sub-district of Ossu, partially destroying the house before leaving.
- The same night a group of six INTEL agents, pretending to be Resistance fighters and armed with automatic weapons, surrounded the house of **Carlos Vicente** from the hamlet of Walawua in the sub-district of Ossu. Three of the agents have been identified as Cirilo, Hermenegildo and Ernesto. They lured Vicente out then brutally kicked and beat him with gun butts and sticks. It is believed they intended to kill him as he was suspected of clandestine activities, however, his family intervened.
- The military raid the farms of East Timorese people suspected of being sympathetic to Resistance guerrillas, destroying crops and causing gardens to be abandoned, stealing food and destroying houses and their contents. Their aim is make the people suffer, even starve, so they can't support the Resistance guerrillas.

Militarisation of East Timorese Youth

An increasingly significant feature of the Indonesian military response to growing East Timorese nationalism is the recruitment of East Timorese youth into organisations linked to the military. East Timorese youths are recruited into the Gardapaksi (Pro-Integration Youth Action Group) and other organisations, some of which are situated in the Indonesian capital Jakarta. The Tiara Foundation supported by President Suharto's eldest daughter, Tutut, has brought hundreds of young East Timorese people to various parts of Indonesia including Jakarta, where they are offered training and jobs. But a number of them have ended up as thugs in organisations backed by the military such as Pemuda Pancasila (a pro-government Indonesian youth group). At times, these organisations are engaged in racketeering. At other times they have been used by the military for political purposes such as pro-Indonesian demonstrations. Politically, they serve two functions. First, they counter pro-independence demonstrations without the direct involvement of the military. Second, they allow the military to create the impression that East Timor remains in the grip of social instability verging on civil war, and therefore still requires a strong military presence.

On 7 June, **Manuel Soares**, 25, died after police at Tanah Abang in Central Jakarta fired five shots at him. He had been recruited by the Tiara Foundation, after being offered a job and training, but quit the job when he found he couldn't live on the low wage offered. Soares had apparently refused to take part in a pro-integration demonstration organised by the authorities at the Dutch Embassy on 7 December 1995. According to reports by SPRIM and ASIET (Indonesian and Australian solidarity groups respectively), Soares was persuaded to go to the police by a friend as the police had promised to let Soares go free. However, upon arriving at the police headquarters he was immediately shot dead.[87] As far as the ETHRC is aware, no investigation has been undertaken by Indonesian authorities.

---

[87] SPRIM, 9 & 10 June 1996; ASIET 3 December 1996

The East Timorese youth organisation often linked with the military is Gardapaksi (Pro-Integration Youth Action Group). This group was reportedly responsible for the pro-integration demonstration in front of the Dutch embassy in December. In Dili, Gardapaksi is reported to be working under the protection of SGI, and has been linked with 'ninja' attacks on East Timorese civilians in Dili and elsewhere in 1996. It has also been very active in the crack-down against demonstrators who showed their support for Bishop Belo in Dili in November and December. Gadapaksi is reputedly backed by President Suharto's son-in-law Brig-Gen Prabowo Subianto, the commander of Kopassus, who has had considerable experience in East Timor.[88] If these reports are correct, Gardapaksi represents a regrettable militarisation of East Timorese youth.

2. NATIONALISM AND URBAN RESISTANCE

The Indonesian Army has physical force but no moral authority or legal accountability. Bishop Belo, by contrast, has no physical force but possesses almost a monopoly on moral authority in East Timor. Such a divorce between force and morality is characteristic of every authoritarian regime, but rarely is the separation as radical as in East Timor. The separation has become even more marked in recent years and the consequences are painful in the extreme for the East Timorese people. It is now possible to speak of a full-blown nationalism in the territory, directed against what the East Timorese perceive as Indonesian colonialism. East Timorese nationalism displays a heightened sense of ethnicity and centres on the Catholic religion.

Over the last several years, East Timorese nationalism has expressed itself in increasingly bold demonstrations against Indonesians in authority or against those who control the economy. Even if they intend to express economic or political grievances, the demonstrations often have a religious theme. Unlike in previous years, when demonstrations were usually confined to Dili, they are now taking place in small towns around East Timor even when no foreign visitors are present. Many of these demonstrations have been entirely or largely peaceful. Some demonstrations apparently arose out of ethnic and religious tensions between East Timorese people and Indonesian immigrants. In fact, 1996 saw an increase in ethnic and religious tension and violence, some of which appeared to have been provoked by the Indonesian military or by pro-Indonesian parties. The conflicts often led to arrests of East Timorese people.

Arrests Following Gleno Fires

At 10.00pm on 14 July, there was a fire at the Gleno market the houses of some residents from Sulawesi were also set on fire. Following the fires, soldiers carried out house to house raids, searching for those responsible. **Matias da Cunha, Delfonso de Deus, Adolfo Madeira, Bento Martins, Helder Martins, Hermano Martins, Joao, Julio Martins, Jacinto Soares, Luis Tilma, Mateus Tilma** and **Abilio Xavier** were arrested on or about 15 July and accused of responsibility for the fires.[89] The ETHRC is still investigating the arrests of Julio Martins, Abilio Xavier and Delfonso de Deus, however, it is believed the other 9 detainees were held for

---

[88] Suara Independen December 1995; HRW/Asia, Testimony before the United States Senate Foreign Relations Committee, Ibid.

[89] ETHRC Urgent Action UA 8/96R, 24 October 1996

2 weeks during which time they were all tortured. They were then released with orders to report regularly to the authorities.[90] **Bernardinho Magalhaes, Abilio Soares, Felipe Alberto** and **Paulo Alberto** and **Alberto** were all arrested on 14 July by members of battalion “Lino 700” of the Indonesian army forces, and **Miguel Maia Mau Soco** and **Pedro Borges** were arrested on 22 July by members of the same battalion.[91]

The ETHRC received an urgent appeal from the family of **Ildefonso de Deus dos Santos** (also known as "Maudino"), a 17 year old student who disappeared at 11.00pm on 14 July in Gleno, immediately following the Gleno market fire. It is believed he may be the same person as "Delfonso de Deus" who was previously reported arrested, although this is still unconfirmed. According to the report received by the ETHRC, Maudino was grabbed by a group of soldiers who were waiting in the darkness outside his home in Gleno. [92] An eye-witness reported that the soldiers were dressed in "Ninja" style clothing and that Maudino's limp body was taken away in a military jeep. "Ninjas" are roving gangs of masked or hooded men, hired by the Indonesian military to intimidate independence supporters, often conducting night-time raids on their homes. Blood was found on the road and his family was concerned that he may have been stabbed and tortured. The day after Maudino disappeared, enquiries were made by the Regent (Bupati) to the Commander of the Ermera District Military Command, however, the Commander replied that there had been no warrant issued for Maudino's arrest.

The Indonesian authorities have now claimed that Ildefonso de Deus dos Santos is not detained but that he is "free, fit and well".[93] However, on February 19, the ETHRC received confirmation that Maudino is still missing and that his family still holds grave fears for his safety. Furthermore, it is believed he is completely innocent and was not involved either in the fires or any clandestine activities.

Becora prison riot

On 30 January, prisoners in Dili’s Becora prison rioted as tension increased because of torture and ill-treatment and religious discrimination against Christian prisoners. It is believed the riots broke out when prisoners conducted a peaceful demonstration following the torture of Alexandrino da Costa who had just returned from hospital that day.[94] An ETHRC source confirmed that 53 people were wounded, including six guards, nine seriously, but only seven of them were permitted to go to the hospital while 46 had to stay at the prison with serious injuries. **Armindo da Silva Martins**, 29, was killed during the riot. Head of East Timor’s Justice Services, Benny Mathias, confirmed that 100 prisoners had participated in the riot, and that da Silva Martins was shot dead by a prison security officer after he tried to grab a gun from a guard. [95] Full details are contained in a separate ETHRC report.[96]

---

[90] Confidential source

[91] ETHRC Urgent Action UA 8/96, 23 August 1996

[92] ETHRC Urgent Action UA 9/96, 18 October 1996

[93] Report received by Amnesty International on 27 November 1996.

[94] Confidential source

[95] Reuter, 30 January 1996

Demonstrations

The right to hold peaceful demonstrations is a fundamental aspect of the freedom of assembly and freedom of speech envisaged in international human rights norms. The ETHRC recognizes that where demonstrators become violent, the Indonesian authorities have the right to prosecute those responsible for criminal acts. However, the ETHRC condemns the use of unwarranted force against peaceful demonstrators and the use of extra-judicial methods to quell incidents of violence. The ETHRC is also concerned about allegations that some violent incidents may have actually been instigated by the authorities and urges the Indonesian government to investigate these allegations fully and impartially. The ETHRC also encourages the Indonesian government to implement the recommendations of UN Special Rapporteur on Extrajudicial, summary or arbitrary executions to restrict the use of force against peaceful demonstrations.[97]

On 4 February, four East Timorese were arrested during a peaceful anti-Indonesian demonstration at the ceremony for the inauguration of the new Catholic seminary in Dili. Several prominent foreign ecclesiastical dignitaries were guests at the ceremony. The ceremony was attended by hundreds of policemen in plain clothes, many with guns and radios. Those arrested were identified as **Sebastiao Sarmento da Silva, Apeu Bina Raja** (pseudonym) and **Paulo** and one youth was unidentified.[98] Police two days later said all but one had been released.[99]

On 25 February, several unidentified East Timorese were arrested after a church service in the Dili Cathedral at which Cardinal Etchegaray, the president of the Pontifical Commission for Justice and Peace, had spoken. Etchegaray is the highest ranked Catholic visitor since the Pope visited in 1989.[100]

Also in February, young people in Lospalos apparently demonstrated for five days in defence of a Latin American Catholic pastor named Andreas, whose vehicle had damaged by an ABRI truck. No arrests were reported.[101]

On 28 April, 300 youths demonstrated in Baucau protesting against the killing of **Paulo dos Reis**, 21, who was killed by soldiers from Battalion 310 stationed in the village of Uaitame in

---

[96] ETHRC, Human Rights Violations at Becora Prison, Dili, East Timor, SPR1/97, 27 February 1997.

[97] Commission on Human Rights, Fifty-first session, Extrajudicial, summary or arbitrary executions, Addendum, Report by the Special Rapporteur, Mr Bacre Waly Ndiaye, on his mission to Indonesia and East Timor from 3 to 13 July 1994, E/CN.4/1996/61/Add.1. The Report recommends that "measures should be taken to ensure that peaceful demonstrations of political dissent are dealt with in conformity with international standards. In particular the use of force by law enforcement officials should be restricted accordingly", p 4.

[98] Lusa News, 3 February 1996

[99] Reuter 6 February 1996

[100] Lusa 25 February 1996

[101] Hidang (Indonesia-l), 22 February 1996

the district of Baucau.[102] The demonstration was broken up by authorities with tear gas. It also led to a protest at a much larger religious gathering the same day.[103]

Baucau riots

Riots broke out in Baucau on 10 June 1996 as a result of a so-called "religious" conflict between Catholics and Muslims and continued for two days. The riots erupted after reports spread that a member of ABRI (the Indonesian armed forces) was seen putting a desecrated picture of the Virgin Mary on the door of the mosque in Baguia, a sub-district of Baucau, on 4 June. Reports of the desecrated picture have led to allegations of deliberate attempts by the authorities to stimulate religious tension. The ETHRC calls on the Indonesian government to investigate these allegations.

On 10 June, youths in Baucau conducted a peaceful demonstration demanding that the Government and ABRI take responsibility for the 4 June incident. The demonstration became violent when Indonesian security forces shot at demonstrators. It appears that live ammunition was used by the security forces instead of plastic bullets which Indonesian troops have been instructed to use since the Dili Massacre of 1991.

It is believed that 3 civilians (still unidentified) may have been killed and many civilians injured. The ETHRC reported that approximately 165 East Timorese youths were arrested, both during the riots and during house to house searches which continued throughout 11 June. The ETHRC released the names of 23 of the detainees, including **Martinho Oliveira** and **Marselho da Lopes**, who were shot by the military and seriously injured before being arrested.[104] The ETHRC received reports that some of the detainees were brutally tortured, sustaining serious injuries such as broken arms and legs.

East Timor Military Commander Colonel Mahidin Simbolon stated on June 12 that several people had been injured in the riots but denied there had been any fatalities. Udayana Military Area Commander Maj-Gen Abdul Rivai said 45 people had been arrested and he hoped that those sentenced for rioting would serve their sentence outside East Timor.[105] He denied that the riots were incited by religious motives, saying that it was "just youths fighting and rioting".[106] The International Committee of the Red Cross (ICRC) confirmed that the number of arrests was high, stating that it visited 78 detainees in Baucau on the weekend following the riots.[107]

Amnesty International estimated that at least 150 East Timorese were arrested and expressed concern that they may have been arbitrarily arrested as they did not appear to have been formally charged.[108] Amnesty International said it recognised the right of the authorities to bring justice against people responsible for acts of violence but was particularly concerned that those detained may be tortured during interrogation and that they may not have access to legal aid or medical attention.[109] Amnesty International also expressed concern at the apparent use of excessive force by the security forces.[110]

---

[102] See page 5 for details of the Extra-judicial Execution of Paulo dos Reis.

[103] AAP 30 April 1996

[104] ETHRC Urgent Action UA 3/96, 25 June 1996. See Appendix A for the names of the detainees.

[105] Suara Pembaruan 13 June 1996

[106] AFP, 12 June 1996

[107] Diario de Noticias, 18 June 1996

The names of 21 East Timorese convicted following the riots have been released but concerns have been raised that their trials may have been unfair. The 21 East Timorese youths were sentenced to terms of imprisonment of between six months and four and a half years for their alleged involvement in the riots. Six of the detainees previously reported by the ETHRC were sentenced to terms of imprisonment and the names of a further 15 people sentenced following the Baucau riots were also released.[111]

Unfair trials occur frequently in East Timor where the legal procedures required under the Criminal Procedure Code (KUHAP) are often ignored. Two provisions of the KUHAP which appear to have been ignored are Articles 54 and 60 which give prisoners the right to be represented by a lawyer of their own choice. It is believed the youths had no legal representation during their trials and one prisoner's lawyer, who does not wish to be identified, arrived at the court to find that his client's trial had already begun. Notwithstanding the wishes of the prisoner, the lawyer was not permitted to represent his client and he was advised that the prisoner did not need legal representation. The trials have also raised concerns that other internationally recognised rights may have been ignored, including the presumption of innocence, the right to trial within a reasonable time, the right to publish the Court's judgement and the right not to be compelled to testify or confess guilt.

Demonstrations in Dili, November and December

On 7 November, East Timorese students rioted after an East Timorese was injured in a market brawl with a Buginese migrant. Rumours spread that it was an East Timorese student who had been injured and other students took to the streets and reportedly threw stones, stopped buses and assaulted non-Timorese people.[112] Three vehicles were damaged but according to Indonesian media reports there were no reports of arrests.[113] However, an ETHRC source reported that members of the Indonesian police, mobile police (BRIMOB), KODIM (District Military Command), Battalion 744 and the Territorial Battalion intervened and sprayed the crowd with tear gas and six East Timorese youths were arrested. No further details of the arrests are available. The East Timorese injured in the market was taken to hospital with serious injuries after being stabbed.

---

[108] Amnesty International ASA 21/35/96, 17 June 1996

[109] Amnesty International ASA 21/34/96, 11 June 1996

[110] Amnesty International, ASA 21/35/96, 17 June 1996

[111] ETHRC Urgent Action UA 3/6R, 8 October 1996, see Appendix C for names and sentences

[112] Reuter, 7 November 1996

[113] Republika 8 November 1996, Jawa Pos 8 November 1996

In November, Bishop Belo was strongly criticised by the Indonesian government and media in relation to his controversial interview with the German magazine Der Spiegel in which he was attributed with strong criticisms of the human rights record of the Indonesian military. On 12 November, Bishop Belo was greeted in Jakarta with a large protest demonstration by youths belonging to a government organisation, demanding an apology for the comments published in Der Spiegel. In response, East Timorese youths conducted large demonstrations Dili between 12 and 15 November in support of Bishop Belo, with smaller ones in Baucau and Ainaro. The demonstrations were followed by a huge gathering at Dili Cathedral on 16 November, where the Bishop was welcomed home by tens of thousands of East Timorese.

On 12 November, on the fifth anniversary of the Santa Cruz massacre, East Timorese students conducted a peaceful demonstration outside the University of East Timor in support of the Bishop. There were also demonstrations at high schools in and around Dili. Students from the Politeknik school in Hera (east of Dili) demonstrated, demanding an explanation for the anti-Belo demonstration which had taken place in Jakarta that day.

The following day tension in Dili increased three demonstrations being held simultaneously in different locations. ETHRC sources reported that a thousand students demonstrated at the University of East Timor, five hundred at the local Parliament building and another five hundred at the office of Governor Abilio Soares. Violence broke out at the local Parliament building when Antonio Parada, the head of the Legislature refused to talk to the protesters. The students threw stones at the building, breaking several windows and damaging Parada's car. There were no reports of any injuries. It is believed the crowd dispersed only after their petition (which calls on the Indonesian Government to halt all verbal attacks on Bishop Belo) was handed over to Parada. [114]

Media reports stated that the Indonesian military acted with restraint, merely observing the crowd and making no arrests.[115] However, unconfirmed reports were received by the ETHRC that some arrests were made. [116] One eyewitness claimed the police were in full riot gear and had blocked several streets in Dili. The police had also barred students from holding an anniversary ceremony at the Santa Cruz cemetery. It is believed a student from KMS Kristal High School, identified as the son of Daniel Baptista, was stabbed by other students, sustaining serious injuries. It is alleged he was stabbed in retaliation for comments made by Baptista criticising Bishop Belo.[117]

Peaceful demonstrations continued for another two days, with huge crowds expressing their support for Bishop Belo on 15 November at Dili University. On 16 November, when Belo arrived back in Dili from Jakarta, it is believed between 50,000 and 70,000 East Timorese lined the roads and gathered at the Cathedral in Dili to welcome him back to East Timor.

---

[114] LUSA, Dili, 13 November 1996

[115] AP, Dili, 13 November 1996

[116] Confidential source

[117] Confidential source

On 25 November, East Timorese youths conducted a peaceful pro-independence demonstration which was attended by at least 400 youths who gathered in front of the Catholic Diocese building in Dili to show their support for Bishop Belo. The Bishop had earlier that day released his media statement in response to criticisms from the Indonesian authorities regarding his controversial interview with Der Spiegel. In his statement, the Bishop called for a new era of co-operation in which the dignity and fundamental human rights of the East Timorese people should be defended. It is believed the youths were carrying anti-integration banners but did not engage in any violence.

Reprisals followed the demonstration and at least five youths were arrested. On 25 November, **Pantaleao Rosario Pires** and his brother **Joao Rangel R Pires,** from the village of Maabat Vila in Manatuto, were arrested by the police and members of SGI (Special Intelligence Unit) when they returned to Manatuto after allegedly attending the Dili demonstration. It is believed they were accused of organising the demonstration and the ETHRC is concerned that they may have been arbitrarily arrested for peacefully expressing their views. Joao Rangel R Pires is currently detained in Becora prison and is awaiting trial for his alleged involvement in the demonstration. It is believed Pantaleao Rosario Pires has now been released but is required to report daily to the police.

The Indonesian police threatened heavy punishment for three (unidentified) East Timorese protesters who participated in the demonstration. East Timor Chief of Police Colonel Jusuf Mucharam said: "The thing they did was an action that spread hatred against the head of the state, so they can receive a heavy punishment of 20 years in jail."[118]

Since the demonstration, members of the Indonesian Intelligence (INTEL) have been looking for **Anibal Ximenes** from Kintal Bo'ot in Dili because of his alleged involvement in the demonstration. Early on the morning of 26 November, INTEL agents attacked Anibal's house, punching and beating his brothers, sisters, parents and other members of his family. They were accused of hiding Anibal and are now being pressured to inform the authorities of his whereabouts. However, it is believed his family does not know of his whereabouts and are concerned for his safety.[119]

On Christmas Eve, 1996, a crowd estimated by journalists at between 30 000 and 150 000 people gathered along the road between the airport and Dili to welcome home Bishop Carlos Belo after he received the Nobel Peace Prize in Oslo. While largely peaceful, several violent incidents took place at various places along the route. Violence broke out at the Dili Cathedral when an East Timorese member of the Indonesian military, Corp. Alfredo dos Santos Siga, was killed when he was lynched by the crowd which was angry at the presence of security forces, and at least 11 others were injured, two seriously. At least seven of the injured were members of ABRI, including the Dili police chief Lt-Col (Pol) Beno Kilapong. The violence, in different places along the route, followed statements by Bishop Belo that he knew of two attempts on his life in recent years. Weapons and cameras had been found on the person or in the vehicles of those attacked by the crowd, including Siga.[120]

---

[118] Reuters, 30 November 1996

[119] ETHRC Urgent Action UA 14/96, 6 December 1996

According to reports received by the ETHRC, repercussions followed the Christmas Eve incidents and continued throughout January, resulting in many arrests. The ETHRC does not condone violence of any sort, however, it is concerned that many of those detained have not been accorded due process of law and many of the detainees may have been arrested solely for the peaceful expression of their views.

Abel Fernandes, Feliciano Maria Martins, Oracio Viegas, Celestino Soares, Luis Afonso, Claudino Guterres, Jose do Rosario, Constancio Soares, Joao Budiono da Costa Morais and **Jose Maria Jeronimo** were charged in relation to their alleged involvement with the 24 December incidents. The ten have all been charged under the Criminal Code of Indonesia (KUHP) with violence against people and property (Article 170) and ill-treatment of people (in respect of the killing of Alfredo de Santo Siga and injuries to Indonesian Police, Article 351). They are currently being held in Becora prison in Dili, awaiting trial. [121]

The names of four other detainees were released by Amnesty International[122] which reported that **Baltasar SH Belo** was arrested on 26 December and detained at the Police Resort (POLRES) in Dili; **Gregorio Sequira Bento** was arrested on 27 December and detained at Regional Police Headquarters (POLDA) in Dili; and **Armando C Soares** was arrested on 30 December and was either detained by the Mobile Police or taken into military custody. No information is available about the reason for their arrests, however, Amnesty International believes that they are being denied access to independent legal counsel, placing them at risk of torture and ill-treatment. Amnesty also reported that Bobby Xavier was arrested on 29 December and also detained at POLDA, however, an ETHRC source has now confirmed that it was not Bobby Xavier who was arrested but his brother **Francisco Xavier.**[123]

On 27 November, **Mario da Costa**, aged 20, was seriously injured when he was shot by five members of the Rajawali battalion posted in the Baucau region, then arrested and detained at police headquarters in Quelicai. He was accused of being Mario da Costa is a member of a "clandestine network supporting Bishop Belo" and that he and sold copies of the statement made by Bishop Belo to journalists on 25 November and distributed copies of the statement to people in the Quelicai market on 27 November. Witnesses saw da Costa being repeatedly beaten until he was unconscious, while on the way to the detention centre. It is believed da Costa is still in detention and that he has been subjected to intensive interrogation and torture and may be in urgent need of medical assistance. Members of his family and the ICRC have not been allowed to visit him.[124]

---

[120] Reuter 24 December 1996; Suara Merdeka 26 December 1996; Kompas 27 December 1996.

[121] ETHRC Urgent Action UA 3/97, 3 February 1997

[122] Amnesty International Urgent Action UA 6/97, 8 January 1997

[123] Confidential source

[124] ETHRC Report UA 6/97, 17 February 1997, and further information from confidential sources.

According to media reports, **Victor Alexo** and **Filomeno dos Santos** were arrested on Saturday 18 January 1997 in Tibar in the district of Liquica. It is alleged by the Indonesian military that they organised the Christmas Eve "riots" and were acting as spies for the Resistance guerrillas.[125] These reports are still unconfirmed by the ETHRC.

A member of Komnas HAM (the Indonesian Commission on Human Rights), Clementino dos Reis Amaral, said that Dili was living under a virtual self-imposed curfew nearly a month after the Christmas Eve incidents. "The people are now living in fear. They cannot come out of their houses after 7pm because they're scared" Amaral said.[126] The ETHRC has received reports from sources in East Timor that armed Gardapaksi (Pro-Integration Youth Action Group) and members of SGI (Indonesian Intelligence Unit) were patrolling the streets of Dili by day and night and INTEL agents (spies) were scouring the streets, beating up and arresting youths or shooting at them if they managed to escape.

Demonstration in Suai, November

On 19 November, **Isabel de Araujo, Agapito Amaral, Celestino Henrique, Joao do Rego de Carvalho, Cezar Monisall, Bernardo, Paulas Moruo, Eusebio, Nuno Alves Noronha** and **Alcino Afonso** were shot and arrested while participating in a peaceful demonstration in Suai.. During the demonstration, East Timorese youths marched to the administrative district building to hand over a petition showing their support for Bishop Belo. The demonstration became violent when members of the Indonesian military prevented the demonstrators from handing over the petition. A confrontation broke out between the youths and the military police, during which the administrative district building was damaged, its windows completely shattered. It is believed the military then opened fire on the crowd and the ten youths were shot, sustaining serious injuries, then arrested. The ETHRC has now been received details of another youth, **Azito Gutterres**, 20, who was also shot and arrested during the demonstration.[127] No further information is available about the detainees.

ETHRC sources have alleged that the members of the Indonesian military who opened fire on the crowd are: Hendang Sugito, ABRI Sergeant; Sugito, ABRI Officer; Made, Police Sergeant; Marcos I, Jacinto Gusmao, Elviro, Clementino A and Cornelio, all rank of ABRI Furiel; Sebastiao, Candido, Joao, Januario, Alberto Gomes, Inacio and Carlos, all ABRI soldiers. Members of one BTT battalion, police and members of two other battalions are also believed to be responsible.

Another seven East Timorese youths were arrested in the Suai region on 25 November 1996. **Honori Coli, Joni Travolta Rego, Natalino Rego,** and **Rui Amaral** were arrested in the town of Suai, while **Benjamin Walu, Paulino Marcal Amaral** and **Manuel Goncalves** were arrested by members of the Indonesian military elsewhere in the Suai region.[128]

---

[125] South China Morning Post, 21 January 1997 and Kompas, Jakarta, 20 January 1997

[126] South China Morning Post, 23 January 1997

[127] Confidential source

[128] ETHRC Urgent Action Progress report, UA 15/96R, 13 December 1996

C/ EAST TIMORESE FLEE

Unrelenting violence against East Timorese young people throughout 1996 has caused many to search for an escape route, even at considerable risk to themselves. Where once the act of jumping Embassy fences in Jakarta was often seen as a propaganda spectacle by pro-independence activists, now most observers think the element of desperation is a more important consideration.

Boat people

On 20 January, 1996, 25 East Timorese youths, including 5 women, were arrested attempting to flee by boat from Baucau to Darwin. According to an eye-witness report, some of those arrested were taken to Dili by the Indonesian military. They were tied up and showed signs of torture.[129] Amnesty International expressed concern that the group appeared to have been arbitrarily detained.[130] In November 1995, another attempt to flee to Australia by boat was also unsuccessful, resulting in the arrest by military authorities of 27 East Timorese.[131] Five of those arrested were sentenced on 17 April 1996 for unlawfully taking control of a boat from its captain. Amnesty International reported that their trials may not have conformed with international standards for fair trials.[132]

The attempts to escape by boat reflect the degree of desperation and the courage of those involved. Ali Alatas has stated that "East Timorese people are free to go if they don't want to stay,"[133] however, the authorities continued to arrest those who attempt to leave.

Seeking refuge in Embassies

Foreign embassies have traditionally been places of refuge for people wishing to escape persecution, although asylum seekers have not always been granted asylum. Between 1993 and 1995, 191 East Timorese sought asylum in western embassies in Jakarta.[134] Foreign embassies have gone to extraordinary lengths to prevent East Timorese seeking refuge and embarrassing the Indonesian government, increasing the presence of Indonesian security forces outside the embassies and erecting barbed wire on fences.

In 1996, up to 102 East Timorese sought asylum in embassies in Jakarta. In total, 57 of those who sought political asylum have left for Portugal. There were some serious allegations of mistreatment of some asylum seekers in embassies and 28 were arrested or questioned after their asylum bids.

---

[129] ETCHRIET Urgent Action Appeal no 4, 26 January 1996. See Appendix A for names of the detainees.

[130] Amnesty International, ASA 21/09/96, 1 February 1996

[131] ETCHRIET Report, 21 November 1995

[132] Amnesty International ASA 21/26/95, 8 May 1996

[133] Northern Territory News, 25 January 1996

[134] Reuter, 29 January 1996

- 10 January - 2 East Timorese women entered the Australian Embassy seeking asylum in Australia. They decided to accept an offer of asylum from Portugal. It was alleged that while in the Australian Embassy they were mistreated by the Australian staff and forced to drink from a toilet to quench their thirst,[135] however, these reports were denied by a representative of Australia's Department of Foreign Affairs and Trade.[136]
- 12 January - 7 East Timorese were arrested in front of the Japanese Embassy. It is believed they were suspected of attempting to enter the Embassy to seek asylum.[137]
- 12 January - 8 East Timorese were arrested in Grogol, West Jakarta. 5 of them are believed to have attempted an asylum bid at the Bulgarian Embassy on 6 January.[138]
- 12 January - 5 East Timorese men jumped the fence of the New Zealand Embassy, later accepting an offer to resettle in Portugal.[139]
- 25 January - 12 East Timorese entered the Polish Embassy, asking for asylum in Poland, but left for asylum in Portugal.[140]
- 29 January - 4 East Timorese youths entered the French Embassy but later left for asylum in Portugal. [141]
- 7 February - 9 East Timorese scaled the fence of the Australian Embassy, requesting asylum in Australia. Their request was refused by Australia and the asylum seekers rejected an offer to go to Portugal. 3 left the Embassy when they required hospital treatment after a hunger strike that lasted 2 days and were accompanied by 2 others.[142] These 5 were reported to have been questioned for nine hours by the Indonesian military.[143] The remaining 4 asylum seekers left the Embassy after nearly 5 weeks, refusing an offer to go to Portugal.[144]
- 8 February - 2 East Timorese sought asylum in the French Embassy and later left for asylum in Portugal.[145]
- 19 February - 4 East Timorese entered the Dutch Embassy and were flown to Portugal that day.[146]
- 27 February - 4 East Timorese who jumped the fence of the Palestinian Embassy were ejected by Embassy guards.[147]
- 18 March - 2 East Timorese youths broke into the French Embassy and another 2 broke into the Polish Embassy. The 4 later left for asylum in Portugal.[148]

---

[135] AAP, 23 January 1996

[136] Ibid

[137] Amnesty International ASA 21/6/96, 18 January 1996

[138] Ibid

[139] CNRM media release, 13 January 1996

[140] Diario de Noticias, 26 January 1996

[141] Reuter, 10 February 1996

[142] Reuter, 20 February 1996

[143] AAP, 21 February 1996

[144] Reuter, 8 March 1996

[145] Reuter, 10 February 1996

[146] Reuter, 20 February 1996

[147] Reuter, 27 February 1996

[148] Reuter, 19 March 1996

- 16 April - 8 East Timorese entered the German Embassy and were ejected by security guards and handed over to members of the Indonesian military who beat, kicked then arrested the group.[149] 3 of the 8 sustained serious injuries and were hospitalised in Jakarta.
- 18 April - 3 East Timorese entered the Dutch Embassy and were later flown to Portugal.[150]
- 22 May - An East Timorese youth entered the German Embassy and was later flown to Portugal.[151]
- 16 August - 8 East Timorese broke into the French Embassy seeking asylum in Portugal and later left for Portugal.[152]
- 20 August - 2 East Timorese scaled the fence at the Japanese Embassy and asked for asylum but fled when approached by Indonesian members of the Embassy's security.[153]
- 10 September - 5 East Timorese are believed to have entered the Spanish Embassy and were later flown to Portugal.[154]
- 13 September - 8 East Timorese are believed to have entered the French Embassy and later left the Embassy in an ICRC vehicle.[155]
- 16 October 1996 - 3 (possibly 4) East Timorese are believed to have entered the French Embassy seeking political asylum in Portugal but were ejected by security guards and then arrested by the Indonesian authorities.[156]
- 12 November 1996 - 4 East Timorese entered the Spanish Embassy asked for political asylum in Portugal and left the next day for Portugal. One of them had already made an unsuccessful asylum bid on 16 October.[157]
- 3 December 1996 - 3 East Timorese jumped the fence of the French Embassy and later left for political asylum in Portugal.[158]

In addition to the 28 East Timorese detained for attempting to seek political asylum at Embassies in Jakarta, an East Timorese student named **Utilia Filipe Ximenes Alves**, the niece of Bishop Carlos Ximenes Belo, was also arrested in Jakarta. The arrest took place on 13 February at the port, Tanjung Priok, after Utilia arrived from Dili by ship. She was taken into custody on suspicion of planning to ask for asylum and supporting the clandestine movement, charges she denied.[159]

---

[149] Amnesty International media release, 17 April 1996

[150] Publico, 19 April 1996

[151] Publico, 24 May 1996

[152] Reuter, 16 August 1996

[153] AFP, 20 August 1996

[154] Lusa News, 24 September 1996

[155] Lusa News, 16 September 1996

[156] Lusa News, 17 October 1996, reporting information provided by the ICRC

[157] Reuter, 13 November 1996

[158] Reuter, 3 December 1996

[159] Hidang, Jakarta, 16 February 1996

East Timorese people may not be as free to leave Indonesia as the Indonesian authorities suggest. One youth, **Nivio Sarmento**, was arrested on 23 July 1996 at his home in Dili[160] by SGI (Special Intelligence Unit) forces and taken to SGI headquarters for interrogation. He was released after being arbitrarily detained for 7 days at Police Headquarters (POLWIL) in Comoro, Dili, during which time he was tortured by members of the SGI forces and the Police. After his release he was required to report to the Indonesian authorities three times per week.[161] It is believed Nivio Sarmento had been arrested in early 1996 in Jakarta, together with a group of East Timorese intending to enter a foreign embassy to seek political asylum. He was forcibly returned to East Timor with orders to periodically report to the authorities.

D. CONCLUSIONS AND RECOMMENDATIONS

In 1996, serious and systematic abuses of fundamental human rights have continued in East Timor. The violations are of great concern to the ETHRC and to the international community.

RECOMMENDATIONS TO THE INDONESIAN GOVERNMENT

The ETHRC urges the Indonesian government to take the following steps:

1. Immediately investigate the disappearance of Ildefonso de Deus dos Santos, Arcanjo Maia, Mateus Gomes, Gabriel, Mariano da Silva Amaral, Americo Soares, Domingos Sarmento and Leao Soares and advise their families of their whereabouts if they are located.

2. Conduct a full and impartial inquiry into the reports of extra-judicial executions of Monica Guterres and her 10 year old brother, Maumesak, Filomeno Ailos, Antonio Malae, Norberto, Manuel Atimeta, Armindo da Silva Martins, Felisberto, Andre de Sousa, Marcos Soares, Tomas Sarmneto, Fernando Bom, Zeferino Mascarenhas, Marcel Nunes, Mariano Mendonca, Fernanda da Silva, Rui de Jesus, Aniceto, Miguel and Manuel Soares and prosecute those found responsible to the fullest extent of the law.

3. Conduct a full and impartial inquiry into the Baucau riots to determine whether excessive force was used by the security forces and whether the riots were provoked by insults to the Catholic religion (which, it is alleged, were made by members of the Indonesian military), prosecuting those found responsible to the fullest extent of the law.

4. Conduct a re-trial for the 21 East Timorese prisoners convicted in September 1996 in Baucau, for their alleged involvement in the Baucau riots, and quash the convictions of any of the prisoners sentenced by unfair trials, releasing them immediately and unconditionally.

5. Conduct a full and impartial inquiry into the November demonstration in Suai to determine whether excessive force was used by the Indonesian military and investigating the shooting

---

[160] ETHRC Urgent Action UA5/96, 5 August 1996

[161] ETHRC Urgent Action Progress Report UA 5/96R, 21 August 1996

of the eleven youths, prosecuting those found responsible for the shootings to the fullest extent of the law.

6. Conduct a full and impartial inquiry into reports of torture, arbitrary arrest and rape, prosecuting those found responsible to the fullest extent of the law.

7. Immediately cease the practice of using military forces to arrest and interrogate suspects as these are functions of the Police under Indonesia's Criminal Procedure Code (KUHAP).

8. Ensure that detainees do not face any torture or ill-treatment in detention and that they are treated humanely and in accordance with international standards. Guarantee that the rights of prisoners will be respected and upheld. These rights are recognised under Indonesian law (Article 14 of Law No.12 of 1995) and in the United Nations Standard Minimum Rules for the Treatment of Prisoners to which Indonesia has subscribed.

9. Prohibit explicitly by law all forms of torture and other forms of cruel, inhuman or degrading treatment or punishment and ensure that all such acts are recognized as criminal offences, punishable by penalties which reflect the seriousness of the crimes.

10. Ensure that detainees have full and continuing access to lawyers of their own choice and to representatives of the International Committee of the Red Cross (ICRC).

11. Ensure that Komnas HAM's working methods and powers meet international standards for national human rights institutions, and ensure that the findings of Komnas HAM are acted upon.

RECOMMENDATIONS TO THE UN COMMISSION ON HUMAN RIGHTS

The ETHRC urges the UN Commission on Human Rights to take the following steps:

1. Adopt a strong resolution on the human rights situation in East Timor, unequivocally denouncing the human rights violations in the territory and upholding human rights standards.

2. Seek the Indonesian government's cooperation with the Commission on Human Rights ("CHR") and its human rights mechanisms. In particular, request the Indonesian government to provide details of its implementation of the recommendations contained in the following reports and resolutions:

   a) the 1992 report of the UN Special Rapporteur on torture;
   b) the 1994 report of the UN Special Rapporteur on extra-judicial, summary or arbitrary executions;
   c) the 1992 and 1994 CHR Chair's Statements; and
   d) the1993 Resolution of the CHR.

2. Urge the Indonesian government to invite UN representatives to visit East Timor, in particular:
   a) the Working group on Arbitrary Detention;
   b) the Working group on Enforced or Involuntary Disappearances; and
   c) the Special Rapporteur on Torture.

3. Urge the Indonesian government to allow the UN to have a permanent presence in East Timor to enable it to conduct ongoing investigation of the human rights situation and to take steps for the protection and promotion of human rights.

4. Urge the Indonesian government to allow full and unrestricted access to all areas of East Timor for journalists and human rights organisations, including the East Timor Human Rights Centre.

5. Urge the Indonesian government to mantain a central public register of all detainees in East Timor.

6. Urge the Indonesian government to immediately and unconditionally release all East Timorese prisoners detained solely for peaceful activities.

7. Allow East Timorese to fully exercise their rights, under the Indonesian Constitution and international law, to freedom of expression, association and assembly.

APPENDIX A: Suspected Extra-judicial Executions 1996

Name	Date	Perpetrators
Monica Gutters, 20, and her unidentified 10 year old brother	Both killed 9/1/96	Military from Battalion 328
Felisberto, 20	2/3/96	Military from Battalion 612
Andre de Sousa	28/4/96	Military in Dili
Armindo da Silva Martins, 20	30/1/96	Becora Prison officer
Manuel Soares, 25	7/6/96	Police
Marcos Soares, 20	11/6/96	Military from Battalions 310 and 745 and members of BRIMOB
Jacinto de Sousa Pandal, 52 & his nephew Luis Ximenes Belo, 23	Both killed 18/9/96	"Red beret" forces (Kopassus)
Paulo dos Reis	25/4/96	Military from Battalion 310
Maumesak, 17 Filomeno Ailos, 30 Antonio Malae, 40 Norberto, 40	All killed 29/10/96	Military from Rajawali & Morok battalions
Manuel Atimeta	9/11/96	Domingos Sarmento from the Rajawali battalion & two members of Kopassus
Fernando Bom, 40	30/9/96	Military in Soibada
Zeferino Mascarenhas Marcel Nunes	Both killed 3/10/96	Military from Rajawali battalion
Mariano Mendonca, 22	4/11/96	Jose Mendonca, INTEL agent
Fernanda da Silva, 42	26/11/96	Member of Linud 700 battalion
Rui de Jesus Aniceto Miguel	All killed 7/12/96	Soldiers from Linud 700 battalion
Tomas Sarmento	25/9/1996	Military from Badik/Rajawali battalion

APPENDIX B: Arbitrary Arrests and "Disappearances", 1996

Name	Date of Arrest/Disappearance
ETCHRIET Appeal no 4 Domingos de Jesus Xavier Juliana Pereira Martinha Pereira	All arrested on 16/1/96
ETCHRIET Appeal no 4 **Boat people** Zeferino do Rosario de Sa Alfredo Freitas Belo Jose da Costa Belo Januario A Soares Filomeno da Costa Lito da Silva Saturnino Gama, 17 Antonio Freitas, 17 Adriano Cipriano da Silva	All arrested on 19/1/96

Simao Ribeiro Alito da Silva Nelio Nascimento Esteves Jose Agusto de Carvahlo Joao Zacharias Zeca da Costa Joao Brito Gama Tome Aparicio Gama Aggostinho da Costa Marcos da Silva Norberto da Costa Sonia da Silva Soares Maria Teresa Ximenes Albertina X da Costa Isaura Belo Maria Evangelina	
ETHRC Urgent Action UA 3/96 **Baucau riots** At least 165 detained, 23 identified: Agusto Vital, farmer Aniceto Antonio da Costa Brito Bernardino de Cristo Cesaltino Correia Celestino Mendonsa David Dias Ximenes Peloi Edmundo Ernesto, student Eusebio da Concicao Ilidio dos Reis Jacinto da Costa Xavier Jose Moreira Marcelo da Costa Mario Moreira dos Reis Marselho da Lopes Martinho Oliveira Miguel Moreira Orlando Moreira Rui dos Santos Sesario Freitas Selestino Vital Ximenes Tomas Guterres	All arrested on about 10 or 11 June 1996
ETHRC Urgent Action UA 3/96R Additional people identified in relation to the Baucau riots: Marcelino Fraga Jose Gomes Miguel Correira Fransisco Amat Pedro da Luz, 16	All arrested on about 10 or 11 June 1996

Luis Pereira	
Cesaltino Sarmento Boavida	
Jose Soares	
Moises Freitas Morreira, 15	
Alipio Pascoal Gusmao	
Paulino Cabral	
Armindo da Costa	
Mario Jose Maria	
Miguel de Jesus	
Antonio Gusmao Freitas	
ETHRC Urgent Action UA 5/96	
Nivio Sarmento	Arrested 3/7/96
ETHRC Urgent Action UA 6/96	
Antonio Mareta	Arrested 12/3/96
Jose da Silva	Arrested 10/7/96
Sebastiao Lelo Ati	Arrested 14/7/96
Joao Lelo Beli	Arrested 14/7/96
Matias da Cunha	Arrested 15/7/96
Delfonso de Deus, 16 (?)	Arrested 15/7/96
Adolfo Madeira	Arrested 15/7/96
Bento Helder Martins	Arrested 15/7/96
Hermano Martins, 16	Arrested 15/7/96
Joao, 14	Arrested 15/7/96
Julio Martins	Arrested 15/7/96
Jacinto Soares	Arrested 15/7/96
Luis Tilma	Arrested 15/7/96
Mateus Tilma	Arrested 15/7/96
Abilio Xavier	Arrested 15/7/96
Aniceto Soares	Arrested 5/6/96
Alexandrino	Arrested 9/4/96
Jaime Borges	Arrested 9/4/96
Francisco da Costa	Arrested 9/4/96
Vicente de Andrade	Arrested 9/4/96
Joao de Oliveira	Arrested 9/4/96
Fernando Magalhaes	Arrested 9/4/96
Armando Henrique Pereira	Arrested 9/4/96 & also 18/2/96
Joao Tavares	Arrested 9/4/96
Constancio Amaral	Arrested 9/4/96
Filipe da Costa Tavares	Arrested 9/4/96
Silvano de Lurdes	Arrested 17/2/96
Vicente de Lurdes	Arrested 17/2/96
Adelino Caldeira	Arrested 24/2/96
Vicente	Arrested 26/3/96
Tomas	Arrested 8/4/96
Virgilio Gonzaga	Arrested 8/2/96
Augusto Soares	Arrested 10/2/96 & also 17/3/96
Silverio	Arrested 9/3/96
Luis Amaral	Arrested 9/3/96
Viriato Fernandes	Arrested 28/2/96
Silverio	Arrested Feb or March 1996

Vicente	Arrested Feb or March 1996
Silverio	Arrested 9/3/96
ETHRC Urgent Action UA 7/96	
Teresa de Fatima	All arrested on 2/8/96
Elda Pinto, 15	
Rita, 13	
Bicau, 12	
Bi-Soi, 3	
Joao Alves Ribeiro	
Benjamin de Nery	
Additional names re UA 7/96	
Jose Martins da Cruz	All arrested 29/7/96
Hermenigildo	
Paulo	
Joao Metan	
Fernando	
Alcino	
Salvador	Both arrested 30 July
Agusto	
ETHRC Urgent Action UA 8/96	
Alberto	All arrested on 14/7/96
Felipe Alberto	
Paulo Alberto	
Bernardinho Magalhaes	
Abilio Soares	
Miguel Maia Mau Soco	Both arrested on 22/7/96
Pedro Borges	
ETHRC Urgent Action UA 8/96R	
Matias da Cunha	All arrested on 15/7/96
Delfonso de Deus	
Adolfo Madeira	
Bento Martins	
Helder Martins	
Hermano Martins	
Joao	
Julio Martins	
Jacinto Soares	
Luis Tilma	
Mateus Tilma	
Abilio Xavier	All arrested on 14/7/96
Sebastiao Lelo Ati	
Joao Lelo Beli	
ETHRC Urgent Action UA 9/96	
Ildefonso de Deus dos Santos	“Disappeared” 14/7/96
ETHRC Urgent Action UA 10/96	
Azito Freitas	28/10/96
ETHRC Urgent Action UA 10/96R	
Evaristo Ximenes	Both arrested on 7/11/96
Aniceto Ximenes	
Armindo do Rosario	Both arrested on 9/11/96

Manuel Quintino Imanual de Cristo	Arrested on 18/11/96
ETHRC Urgent Action UA 10/96R2 Augusto Marcelino Cosme	All arrested on 18/11/96
ETHRC Urgent Action UA 11/96 Jose da Silva Francisco da Silva Gilberto da Silva Aquiles da Silva Armindo Monteiro Antonio da Silva Monteiro Paulo da Costa Jose Monteiro Chiquito da Silva and one unidentified man	All arrested on 15/11/96
ETHRC Urgent Action UA 12/96 Inacio Nelson Guterres Amaral Manecas Gomes Luis Rangel Antonio da Costa (Fahi-Kolik)	All arrested on 12/8/96
Manuel Jose Labi Naha Jose	All arrested on 14/11/96
Gabriel	Disappeared on 14/11/96
ETHRC Urgent Action UA 13/96 Pantaleao Rosario Pires Joao Rangel R Pires and 5 unidentified East Timorese	All arrested on 25/12/96
ETHRC Urgent Action UA 14/96 Anibal Ximenes	Disappeared 25/11/96
ETHRC Urgent Action UA 15/96 Isabel de Araujo, 14 Agapito Amaral Celestino Henrique Joao do Rego de Carvalho Cezar Monis Bernardo Paulas Moruo Eusebio Nuno Alves Noronha Alcino Afonso Azito Gutterres	All arrested on 19/11/96 and shot sustaining serious injuries
ETHRC Urgent Action UA 15/96R Honori Coli Joni Travolta Rego Natalino Rego	All arrested on 25/11/96

Rui Amaral Benjamin Walu Paulino Marcal Amaral Manuel Goncalves	
ETHRC Urgent Action UA 16/96 Rodolfo Sarmento Anselmo do Carmo Bernardino Fonseca Tomas dos Santos Julio da Costa Americo da Costa	All arrested on 15/11/96
ETHRC Urgent Action UA 1/97 Jeronimo Soares Manuel Mateus Gomes	All arrested on 25/12/96
ETHRC Report UN 4/97 Manuel de Oliveira Mateus Goncalves Renato dos Santos Antonio Manuel Alves Berta	All arrested on 11/12/96
ETHRC Urgent Action UA 3/97 Abel Fernandes Feliciano Maria Martins Oracio Viegas Celestino Soares Luis Afonso Claudino Guterres Jose do Rosario Constancio Soares Joao Budiono da Costa Morais Jose Maria Jeronimo	All arrested late November 1996 and detained in Becora Prison, Dili, awaiting trial
Amnesty International ASA 21/30/96 Antonio	Disappeared 13/5/96
Amnesty International UA 279/96 Agustino Ximenes four unidentified youths	All arrested on 6/11/96
Amnesty International UA 291/96 Antonio dos Santos Joao Bosco	All arrested on 13/11/96
Amnesty International UA 6/97	
Baltasar SH Belo	Arrested on 26 December 1996
Gregorio Sequeira Bento	Arrested on 27 December 1996
Armando C Soares	Arrested on 30 December 1996
Francisco Xavier	Arrested on 29 December 1996
Previously unreported by ETHRC Ernestina Maria Baptista Maria da Purificacao Hermenegildo	All arrested on 24/7/96

Previously unreported by ETHRC Alianca Soares dos Santos Martinho Soares Flaviano Martins Marcelino Soares Marciana Adao Calistro Natalino Domingos Ologai Eduardo Soares Francisco	All arrested on 5/12/96 All in detention in November 1996
Previously unreported by ETHRC Adriano Caisen Mariano da Silva Amaral Americo Soares Domingos Sarmento Leao Soares	Arrested on 24/12/96 All disappeared on 24/12/96
Previously unreported by ETHRC Arcanjo Maia	Disappeared on 31/12/96
Previously unreported by ETHRC Sebastiao Sarmento da Silva Apeu Bina Raja Paulo and one unidentified East Timorese	All arrested on 4/2/96
Previously unreported by ETHRC Mario da Costa	Shot and seriously injured on 27/11/96 then arrested
Previously unreported by ETHRC Victor Aleixo Filomeno dos Santso	Both arrested on 18/1/1997

APPENDIX C: Prisoners convicted for alleged involvement with the Baucau riots June 1996

Names	Sentence
Cesaltino Correia, 21	1 year, 10 months
Sesario Freitas, 22	1 year, 10 months
Orlando Morreira, 21	1 year, 10 months
Jacinto Pedro da Costa Xavier, 17	1 year
Jose Armindo Morreira, 21	1 year, 8 months
Aniceto Soares, 22	2 years
Marcelino Fraga, 22	1 year, 3 months
Jose Gomes, 24	4 years, 6 months
Miguel Correira, 21	1 year, 10 months
Fransisco Amat, 20	1 year, 8 months
Pedro da Luz, 16	1 year, 11 months
Luis Pereira, 19	2 years, 3 months
Cesaltino Sarmento Boavida, 23	1 year, 8 months
Jose Soares	1 year, 8 months

Moises Freitas Morreira, 15	8 months
Alipio Pascoal Gusmao, 21	1 year, 9 months
Paulino Cabral, 24	1 year, 7 months
Armindo da Costa, 21	1 year, 10 months
Mario Jose Maria, 22	1 year, 6 months
Miguel de Jesus, 28	2 years
Antonio Gusmao Freitas, 22	2 years, 2 months